COMMITTEE TERMS OF REFERENCE

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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.[i]

1.3 This document sets out the terms of reference for the following committees: finance, planning, personnel, and emergency plan and the following working groups: Saxilby Waterfront, Neighbourhood Development Plan Review, and Multi-Use Games Area (MUGA).

1.4 The terms of reference have been approved by full council. If a sub-committee/working group is appointed, the parent 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.[ii]

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. These are available on the council's website. 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 five members should sit on a committee, to ensure that it can always be quorate (there must be three members in attendance for it to be quorate). A maximum of seven 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 Chair and vice-chairs 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 Finance Committee

2.1 To agree a chair and vice-chair for the committee.

2.2 To oversee and advise full council on all matters relating to financial and risk management.

2.3 To approve the notes of the previous committee meeting.

2.4 To recommend an <u>annual committee</u> budget by the end of November each year.

2.5 To recommend to full council an <u>annual council</u> budget, based on the draft budgets submitted by spending committees by December each year.

2.6 To recommend to full council an annual precept based on 2.3 above.

2.7 To review the annual accounts of the council in preparation for their annual external audit.

2.8 To conduct an annual review of the effectiveness of internal audit, in conjunction with the responsible financial officer.

2.9 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.

2.10 To ensure that appropriate up to date records are kept of all assets and that they are adequately controlled.

2.11 To receive and scrutinise the monthly income and expenditure reports (expenditure against budgets) for the council.

2.12 To review and approve a monthly list of income and payments.

2.13 To review and approve the monthly aged debt report.

2.14 To review, and recommend to full council, the writing off any unrecoverable debts.

2.15 To scrutinise and approve the monthly bank reconciliations.

2.16 To review and approve RFO recommendations to vire budgets where required during the year

2.17 Annual review of internal audit and feedback any recommendations to full council

2.18 Apply for grants which fall within the committee's terms of reference up to the same limits as expenditure amounts (see Financial Regulation 4aii for limits)

2.19 Consider health and safety reports and make recommendations to full council where appropriate

3.0 Planning Committee

3.1 To agree a chair and vice-chair for the committee.

3.2 To approve the notes of the previous committee meeting.

3.3 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.

3.3.1 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.

3.3.2 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.

3.3.3 Conservation – The impact of any proposed development on the significance of a designated heritage asset will be considered.

3.3.4 Biodiversity – proposed developments will be considered in the light of the current climate and biodiversity emergency.

3.4 To comment on street naming when requested.

3.5 To comment on licenses when requested.

3.6 To consider and agree Highways matters including public footpaths, traffic orders, traffic calming, street lighting, street cleansing, highway maintenance, highway schemes, bus stops, benches etc.

3.7 To review the Neighbourhood Development Plan (NDP) on a regular basis, for minor alterations and modified (with a referendum if required) every five years. This includes reviewing the Design Code and Housing Needs Assessment. The NDP working group will be resurrected if required.

3.8 Have meetings with developers regarding proposed developments and developments in progress

3.9 To consider planning contributions and agreements (including s106 and CiL) and make recommendations to Full Council.

3.10 The committee encourages developers to engage with the local community prior to submitting planning applications in-line with the National Planning Policy Framework.

3.11 To provide consultee responses on draft local plans and associated relevant planning policies.

3.12 Members of the Planning Committee should, as good practice, attend planning training and be aware of the Saxilby with Ingleby Neighbourhood Development Plan and supporting documents in response to applications.

3.13 The Saxilby Waterfront Working Group, Multi-Use Games Area Working Group, and Neighbourhood Development Plan Working Group's sit under the planning committee.

3.14 Apply for grants which fall within the committee's terms of reference up to the same limits as committee expenditure limits (see Financial Regulation 4aii for limits)

3.15 Agree working group terms of reference for those sat under planning committee (Standing Order 10i)

3.16 Approve the annual Community Infrastructure Levy report which is submitted to West Lindsey District Council

3.17 To submit and receive updates on planning enforcement matters

4.0   Personnel Committee

4.1   To agree a chair and vice-chair for the committee.

4.2   To ensure the council complies with all legislative requirements relating to the employment of staff.

4.3   To review and approve on an annual basis, feedback from the clerk in conjunction with the council's HR Advisor, on all policies that relate to staff employment.

4.4   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.

4.5   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.

4.6   To appoint from full council two councillors for disciplinary or grievance cases, who have had no direct involvement in the matter, as part of the disciplinary and grievance policy.

4.7   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 4.3, the chair, clerk and assistant clerk will sign and agree to appraisals and objectives.

4.8   The personnel committee chair, in conjunction with the chair 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.

4.9   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.

4.10 To review and recommend to full council for approval, pay awards and other conditions of service.

4.11 Personnel committee members should have relevant experience or be prepared to undertake any required training to effectively fulfil their role on this committee.

5.0 Emergency Plan Committee

5.1 To agree a chair and vice-chair for the committee.

5.2 To approve the notes of the previous committee meeting.

5.3 To develop and review the emergency plan for approval by full council.

5.4 To appoint nominated members of the committee/officers, as designated in the plan, to activate the plan.

5.5 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.

Planning Committee Working Groups

6.0 Saxilby Waterfront Working Group

6.1 To agree a chair and vice-chair for the working group.

6.2 To approve the notes of the previous working group meeting.

6.3 To undertake public consultation in relation to the project.

6.4 To develop a vision and project plan for the area for council approval.

6.5 To fundraise for the project.

6.6 To draft funding bids for parent committee/full council approval and submit them.

6.7 To manage the project in-line with the Masterplan and project plan to achieve the vision for the area.

6.8 To provide a regular update to planning committee.

6.9 For working group members to be aware of, and work within council policies and procedures, where applicable including the volunteer policy, media and social media policy, standing orders, and the respect pledge.

7.0 Multi-Use Games Area (MUGA) Working Group

7.1 To agree a chair and vice-chair for the working group.

7.2 To approve the notes of the previous working group meeting.

7.3 To undertake relevant community engagement in relation to the project.

7.4 To lead on developing the provision of the MUGA in Saxilby including location, size, design, and surface.

7.5 To fund-raise for the project and draft grant applications, for parent committee/full council approval.

7.6 To manage the project in-line with the project plan to deliver the project.

7.7 To provide a regular update to planning committee.

7.8 For group members to be aware of, and work within council policies and procedures, where applicable including the media and social media policy, volunteer policy, standing orders, and the respect pledge.

8.0 NEIGHBOURHOOD PLAN REVIEW STEERING GROUP (WORKING GROUP) TERMS OF REFERENCE

8.1 To approve the notes of the previous meeting.

8.2 To maintain a satisfactory system of monitoring the levels of the ring-fenced NDP expenditure and income, within the boundaries of the approved budget, in-line with the Council's Financial Regulations.

8.3 To monitor progress against the Project Plan.

8.4 To submit to Full Council for approval the Submission Draft Neighbourhood Plan prior to publication for consultation and independent examination.

8.5 Purpose:

8.5.1 The main purpose of the Steering Group is to oversee the review of the Neighbourhood Plan for Saxilby with Ingleby parish (made in 2017) resulting in being adopted by West Lindsey District Council as part of local planning policy.

8.5.2 It will engage and consult with the local community to ensure the Plan reflects the views and ambitions of Saxilby with Ingleby Parish.

8.6 Principles:

The Steering Group will undertake the process in a democratic and transparent fashion, encouraging widespread participation and give equal consideration to opinions and ideas from all members of the community and planning policy.

8.7 Membership:

8.7.1 The Steering Group is to be made up of a cross section of volunteers from the community, including parish councillors nominated by the parish council. Membership of the Steering Group is open and will bring together a diverse range of skills and expertise.

8.7.2 Steering Group members should abide by the Council's Code of Conduct including Declarations of Interest and council policies and procedures such as the social/media policy and respect policy, to work together for the benefit of the community.

8.8 Roles and Responsibilities:

8.8.1 Review the plan vision, objectives, and policy intentions.

8.8.2 To undertake consultation, consulting as widely and thoroughly as possible to

ensure that the Plan is representative of the community.

8.8.3 Gather evidence from a wide range of sources to support the Plan production process and to ensure the conclusions reached are fully evidenced.

8.8.4 Produce and maintain a project plan.

8.8.5 Actively promote the preparation of the Plan, including maintaining an up to date website.

8.8.6 Identify sources of funding and make applications.

8.8.7 Liaise with the District council and other organisations to make the Plan as effective as possible.

8.8.8 Agree a final submission version of the Plan to be ratified by the parish Council.

8.9 Meetings:

8.9.1 Meetings will usually be held monthly.

8.9.2 The Steering Group will elect a Chair annually. If a position becomes vacant the Group will elect a replacement.

8.9.3 Meeting notes will be taken and circulated in a timely fashion to Steering Group members. They will also be added online.

8.9.4 At least three clear days' notice for meetings shall be given to members by email.

8.9.5 Decisions made by the Steering Group should normally be by a majority vote at Steering Group meetings, with the chairman having a casting vote. A minimum of three members shall be present for a quorum.

8.10 Decision making:

8.10.1 The Steering Group has delegated authority from the Parish Council to deliver its plan making functions up to and including the publication of the draft Plan.

8.10.2 A monthly update will be provided to the planning committee setting out progress and a budget update.

8.10.3 Full Council will approve the Submission Draft Neighbourhood Plan prior to publication for consultation and independent examination.

8.11 Dissolution:

8.11.1 The Steering Group will be dissolved on completion of the Neighbourhood Plan review project.

8.11.2 Any remaining funds will be disposed of, and held in accordance with, any conditions imposed by the grant funders and in the best interests of the parish.

8.12 For working group members to be aware of, and work within council policies and procedures, where applicable including the volunteer policy, media and social media policy, standing orders, and the respect pledge.

REFERENCES

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

[ii] 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.