

Terms of Reference & Delegation Scheme

Adopted 15 May 2018
Amended 12 June 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.

When the emergency power is used, the Clerk shall inform all Members of the Council immediately by email of the full details of the decision and the reasons why the decision could not wait for the appropriate meeting.

SUBSTITUTES

This only applies to Committees of the Parish Council.

Any Councillor that cannot attend a Committee Meeting has the right to nominate a substitute to attend in their stead. The substitute will be given the same powers as the Committee Member in that they can take part in the discussion and vote as a Committee Member.

This does not apply to confidential items of the Finance & Staffing Committee.

The Councillor that cannot attend a Committee Meeting must give the name of their substitute to the Clerk no later than 1 day before the Committee Meeting is due to take place.

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 have responsibility for the World War 1 Working Party.
19. To have responsibility for the Services Working Party.
20. To have responsibility for the Assets Working Party
21. 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.

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 eleven.

The Chair of the Parish Council shall also be the Chair of the Finance and Staffing Committee. The Vice-Chair of the Parish Council shall also be the Vice-Chair of the Finance and Staffing Committee.

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.

13. To consider initial complaints in accordance with the Complaints Procedure.
14. To have responsibility for the Recruitment/ Staffing Working Party.
15. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
16. To deal with any other matter of a financial nature.

Planning & Environment Committee

General

The Planning Committee will meet fortnightly.

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 eleven.

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.
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 urban 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.

Leisure and Amenities Committee

General

The Leisure and Amenities Committee generally meets every other month.

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 eleven.

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 have responsibility for the Broadgreen Working Party.
11. To have responsibility for the Gardens Working Party.
12. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
13. 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 Working Party

General

The Allotment Working Party 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.

Broadgreen Working Party

General

The Broadgreen Working Party reports to Full Council for strategic decisions and Leisure & Amenities Committee for the day to day running of the community centre.

The Broadgreen Working Party has been established to put forward recommendations about the future of Broadgreen Community Centre. This includes the future running of the building, the future of the whole site and the repairs required for the building.

The Broadgreen Community Centre will also monitor the running of the building and make reports to the Leisure & Amenities Committee.

Terms of Reference

1. To consider the options for the future running of Broadgreen Community Centre and make recommendations to Full Council.
2. To consider the future of the whole site and consult with Swindon Borough Council about their future plans. Make recommendations to Full Council.
3. To consider the repairs to the building highlighted in the survey conducted by Swindon Borough Council and make recommendations to Full Council.
4. To consider the suitability of Broadgreen Community Centre as a location for the Parish Office.
5. To oversee the running of Broadgreen Community Centre and make recommendations for improvements to the Leisure & Amenities Committee.

Services Working Party

General

The Services Working Party reports to Full Council for strategic decisions and Planning & Environment Committee for service delivery issues.

The Services Working Party has been established to review the current grounds maintenance services provided by StreetSmart and to investigate the delivery of services in future years.

Terms of Reference

1. To monitor the current delivery of grounds maintenance services by StreetSmart and report any issues to the Planning & Environment Committee for action.
2. To obtain and review the detailed work of the Contract from StreetSmart in order to consider the delivery of services for future years.
3. To consider whether to tender to the market for delivery of services for 2018/19.
4. To draw up a tender document and ensure the correct procedure is followed to tender, taking into account Financial Regulations and the EU procurement rules.
5. To evaluate tenders and make recommendations to Full Council.
6. To consider whether to take some functions in house and make recommendations about how this will be achieved through staffing.
7. To evaluate the joining up with other Parish Councils, either as part of a tender process or in setting up a separate company for the delivery of services.
8. To evaluate the taking on of all services directly by the Parish Council, the staffing requirement and the costings.

Assets Working Party

General

The Assets Working Party reports to Full Council.

The Assets Services Working Party has been established to review the assets in the parish owned by Swindon Borough Council and make recommendations to Full Council on whether these assets should be transferred to the Parish Council.

Terms of Reference

1. To review the draft 99 year lease provided by Swindon Borough Council for the transfer of assets and make recommendations to Full Council.
2. To consider each type of asset in turn and make recommendations to Full Council about the terms of the lease for this assets.
3. To review each final lease and make recommendation to Full Council that the terms are acceptable for the Parish Council to agree to the signing of the lease.

Recruitment/ Staffing Working Party

General

The Recruitment/ Staffing Working Party will generally report to Finance & Staffing Committee, but due to the nature of the task, may be required to report directly to Full Council.

The Recruitment Working Party will oversee the recruitment of new staff for the Parish Council. This will include the recruitment of a new Clerk.

The Recruitment Working Party will cover all aspects of the recruitment including making recommendations on Job Descriptions, adverts, person specifications and application forms. The members of the Recruitment Working Party may also be delegated authority to appoint staff on behalf of the Parish Council.

Terms of Reference

1. To review and make recommendation on the Job Descriptions of all staff.
2. To make recommendations on adverts for vacancies, application forms and other information required for a recruitment.
3. To short-list applicants for interview.
4. To set interview questions and conduct interviews and recommend or agree the appointment staff.

Gardens Working Party

General

The Gardens Working Party will report to Leisure & Amenities Committee.

The Gardens Working Party will look in detail at all aspects of the running of the 4 main parks within the parish. These parks being Garden Gardens, Queens Park, GWR Park and Lawns.

The Gardens Working Party will look at the running costs and produce a Business Plan for each park ahead of the Parish Council taking the decision to take a lease for the running of the facilities.

This Garden Working Party will make recommendations on the maintenance of the park, which is currently being carried out by StreetSmart and which may be taken 'in house' from April 2017.

Terms of Reference

1. To review the current use of each park in turn obtaining information from Swindon Borough Council.
2. To prepare a Business Plan for each park including looking at new ways to produce income from the parks.
3. To make recommendations on new activities for each park and changes to maintenance of the parks.

World War 1 (WW1) Working Party

General

The World War 1 Working Party will report to Full Council.

The Gardens Working Party will look in detail at all aspects of the commemoration of the centenary of the ending of WW1.

The World War 1 Working Party will look at the possibilities to provide a permanent memorial for the parish including recommending a suitable site and the costings.

The World War 1 Working Party will encourage other ways to mark the occasion and make recommendation to provide funding for relevant events in the parish.

Terms of Reference

1. To identify and recommend a suitable site for a memorial in the parish and obtain the necessary permission.
2. To prepare a plan of works together with the costings for approval by Full Council.
3. To encourage local groups and organisations to mark the centenary with events and make recommendations on grant funding.
4. To promote greater public awareness of the centenary of WW1.

Neighbourhood Plan Working Party

General

The Neighbourhood Plan Working Party will report to Full Council.

The Neighbourhood Plan Working Party will look in detail at all aspects of the production of a Neighbourhood Plan. This includes the resources required in terms of staffing, finance, outside consultants and volunteers. They will make recommendations to Full Council on whether to proceed with a Neighbourhood Plan.

Depending on the result of the evaluation, the Neighbourhood Plan Working Party will oversee the Neighbourhood Plan process including recommendations for the area, expansion of the Working Party to involve local groups and organisations, consultations with the public and drawing up the contents for the Neighbourhood Plan.

Terms of Reference

1. To investigate in detail the benefits and issues of producing a Neighbourhood Plan and make recommendations to Full Council.
2. To investigate the resources needed in terms of staffing, finance, consultants and volunteers.
3. To make a recommendation to Full Council on whether to go ahead with a Neighbourhood Plan.
4. If the decision is made to go ahead, the Working Party will need to agree an increase in membership.
5. The Neighbourhood Plan Working Party will then make recommendations to Full Council on all aspects of producing a Neighbourhood Plan.

Wildlife Working Party

General

The Wildlife Working Party will report to Leisure & Amenities Committee.

The Wildlife Working Party will look in detail at all aspects of nature and the natural environment within the parish.

The Wildlife Working Party will look into the possibility of creating a Wildlife Corridor within the Parish and work with other agencies to bring this about. Once established the Working Party will work with other agencies to provide interpretation boards and signage.

The Wildlife Working Party will work with Wiltshire Wildlife Trust on the magnificent Meadows project.

The Wildlife Working Party will work oversee other projects involving the natural environment.

Terms of Reference

1. To identify and make recommendations to Leisure & Amenities Committee for a Wildlife Corridor within the parish.
2. To work with other agencies to create a footpath within the Wildlife Corridor including signage and interpretation boards.
3. To work with Wiltshire Wildlife Trust on the Magnificent Meadows project.
4. To oversee other projects involving the natural environment.