

Westbourne Parish Council

Committee delegation arrangements and terms of reference

Subject to the observance of decisions of the Parish Council on matters of principle or policy, the Council's powers and duties shall be delegated to its committees, as permitted under the Local Government Act 1972 s101, in accordance with the approved terms of reference unless otherwise stated.

Committees will operate within approved Standing Orders, Financial Regulations and other policy documents and procedures. The Council may revoke powers delegated to a committee by resolution.

Urgent and routine matters may legally be delegated to an officer (i.e. the Clerk) in consultation with members, usually the Chair of the Committee and the Chair of the Council. Any actions taken between meetings under this delegation shall be ratified at the next meeting.

1. Budgetary control and authority to spend

Section 4 of the Parish Council's Financial Regulations set out budgetary control and authority to spend. Please see the excerpt below.

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the Council for all items over £600;
- a duly delegated committee of the Council, the Finance and General Purpose Committee, for items over £600; or
- the Clerk, in conjunction with Chairman of Council and Chairman of the appropriate committee/or Vice Chair of Council up to £2000 in an emergency.
- the Clerk is authorised to purchase stationery and other office requirements up to £600 for the day to day running of the Parish Council.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

1. WPC Committee Terms of Reference

- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually by no later than November for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

2. Responsible Financial Officer

The Clerk shall be the Responsible Financial Officer (RFO) to the Council and shall be responsible for the Council's accounting procedures, in accordance with the Account and Audit Regulations in force at any given time.

3. Proper Officer

The Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- receive declarations of acceptance of office
- receive and record notices disclosing pecuniary interests

2. WPC Committee Terms of Reference

- receive and retain plans and documents
- sign notices or other documents on behalf of the Council
- receive copies of by-laws made by a primary local authority
- certify copies of by-laws made by the Council
- sign summonses to attend meetings of the Council
- to receive documents in relation to complaints received under The Members Code of Conduct and report this at the next convenient meeting of the Council
- to act as the Council's designated officer for the purposes of the Freedom of Information Act 2000
- ensure compliance with all legal requirements impacting upon the business of the Council.
- Pay all accounts and subscriptions
- the day to day administration of services, together with routine inspection and control
- day to day supervision and control of any staff employed by the Council
- undertake training or attendance at conferences as previously authorised within budget.

Delegated actions of the Clerk shall be in accordance with the Council's Standing Orders, Financial Regulations and the Scheme of Delegation, and with directions given by the Council.

4. Council

The following matters are reserved to the Council for decision, notwithstanding that the appropriate committee(s) may make recommendations thereon for the Council's consideration.

- setting the Precept
- borrowing money
- making, amending or revoking Standing Orders, Financial Regulations or the Scheme of Delegation
- making, amending or revoking by-laws
- making of orders and entering into contracts under any statutory powers
- matters of principle or policy
- nomination and appointment or representatives of the Council to any other authority, organisation or body
- any proposed new undertakings
- prosecution or defence in a court of law
- nomination or appointment or representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee
- approval of the Annual Governance and Accountability Return at no later than the June Council meeting
- appointment or dismissal of the Clerk and other contractual issues relating to conditions of service
- any other matters not otherwise devolved/delegated to a committee of the Council.

3. WPC Committee Terms of Reference

5. Finance and General Purposes Committee

Purpose

The Committee is appointed by Westbourne Parish Council to discharge its functions relating to its corporate management and administrative services.

Meetings

The Committee will meet at least once a year every October (additional meetings will be organised as required) and will be conducted in accordance with the Parish Council's Standing Orders, Financial Regulations and Code of Conduct.

Membership

The Committee is open to Council members only. A quorum of three is required and not all councillors should sit on the committee (as this would make it a Parish Council meeting).

Delegated tasks and powers

- To prepare a draft annual budget for approval to the Full Council in December/January each year.
- To ensure that all reserves are managed in line with the Council's Financial Regulations.
- To receive and review both internal and external audit reports and arrange for implementation of any recommendations.
- To consider the administration of the Council's bank account and other financial dealings and make recommendations to the Full Council.
- Management of rents: land leased to Westbourne Allotment Association, and access licences leased at 1 Sydenham Terrace, Covington Road and 56 Mill Road
- Legal services
- Servicing of loans or investments
- Democratic representation of the council at elections
- To ensure the Parish Council's Standing Orders, Financial Regulations, Code of Conduct and risk management are adequate and reviewed on an annual basis
- To provide grants to community organisations through the Parish Council's Community Chest scheme.
- To review the pay and conditions of service of employees on an annual basis before approval of the annual budget.

Reporting and monitoring

The Chair of the Committee will provide a written progress report on agreed actions on a monthly basis to the Parish Council.

6. Planning Committee

Purpose

The Committee is appointed by Westbourne Parish Council to discharge all of its functions relating to planning.

Meetings

The Committee will meet monthly and meetings will be conducted in accordance with the Parish Council's Standing Orders, Financial Regulations and Code of Conduct.

The Clerk may request an extension to the 21 day deadline from the relevant local planning authority for planning applications in order that they can be discussed at the monthly meeting. If an extension is unable to be granted, an extraordinary meeting may be required.

Membership

The Committee is open to Council and non-Council members. A quorum of three is required and not all councillors should sit on the committee (as this would make it a Parish Council meeting).

Delegated tasks and powers

- To consider all planning applications relevant to the Parish. To be aware of planning policy and supplementary planning documents when responding to applications.
- To review planning and enforcement appeals and submit additional representations if required.
- To report planning enforcement matters to the relevant authority.
- To review documents, consultations and other matters regarding planning and make representations as required.

Reporting and monitoring

The Chair of the Committee will provide a written progress report on agreed actions on a monthly basis to the Parish Council.

The Clerk will communicate to the local planning authority the committee's decision in respect of applications considered and will ensure that it is received within the timescale for each application.

Where an application is subject to an appeal, the committee is authorised to make written representations or to elect a member of the committee to attend the hearing.

7. Public Services Committee

Purpose

The Committee is appointed by Westbourne Parish Council to discharge its functions relating to its public services.

Meetings

The Committee will meet three times per year (March, June and November) and will be conducted in accordance with the Parish Council's Standing Orders, Financial Regulations and Code of Conduct.

Membership

The Committee is open to Council and non-Council members. A quorum of three is required and not all councillors should sit on the committee (as this would make it a Parish Council meeting).

Delegated tasks and powers

Maintenance of the Parish Council's:

- fingerposts
- street lights
- village gateways
- noticeboards
- bollards
- defibrillators
- traffic regulations and speed calming schemes (including Community Speed Watch)
- public footpath or highway matters
- Emergency Plan
- flower tubs
- street furniture
- tree wardens
- speed indicator devices
- CCTV
- benches and public seating

Reporting and monitoring

The Chair of the Committee will provide a written progress report on agreed actions on a monthly basis to the Parish Council.

8. Recreation, Leisure and Amenities Committee

Purpose

The Committee is appointed by Westbourne Parish Council to discharge its functions relating to recreation, leisure and amenities.

Meetings

The Committee will meet three times per year (March, June and November) and will be conducted in accordance with the Parish Council's Standing Orders, Financial Regulations and Code of Conduct.

Membership

The Committee is open to Council and non-Council members. A quorum of three is required and not all councillors should sit on the committee (as this would make it a Parish Council meeting).

Delegated tasks and powers

- Management and maintenance of Mill Road Recreation Ground, including the children's play area and equipment, and the fitness equipment.
- Management and maintenance of Monk's Hill Recreation Ground, including the children's play area and equipment, and the fitness equipment.
- To consider inspection reports from Kompan and the playground inspector and undertake any necessary repairs.
- Consider any proposals regarding additional, and/or the enhancement of the current, recreation, leisure and amenities provision.

Reporting and monitoring

The Chair of the Committee will provide a written progress report on agreed actions on a monthly basis to the Parish Council.

9. Business Plan Working Group

Purpose

The Working Group is appointed by Westbourne Parish Council to discharge its functions relating to its Business Plan.

Meetings

The Working Group will meet as required and will be conducted in accordance with the Parish Council's Standing Orders, Financial Regulations and Code of Conduct.

Membership

The Working Group is open to Council and non-Council members.

Delegated tasks and powers

- To write a three year Business Plan.
- To write an action plan which sets out how the Business Plan will be delivered.
- To review the Business Plan during the three-year period.

Reporting and monitoring

The Chair of the Working Group will provide a written progress report on agreed actions on a quarterly basis (April, July, October, and January) to the Parish Council.