

District of South Cambridgeshire



TERMS OF REFERENCE AND DELEGATED POWERS

**AS ADOPTED BY HISTON & IMPINGTON PARISH COUNCIL
20th June 2016**

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Task & Finish without Terms of Reference:

Neighbourhood Plan

Darwin Green

Newsletter Editorial Team

Homefield Park Estate Railings

TERMS OF REFERENCE AND SCHEME OF DELEGATED POWERS

DELEGATED POWERS

Members will be advised by the Clerk **of the meeting** whether or not a particular item under discussion is within the Committee's delegated powers. The minutes will then record the decision as "**RESOLVED**". If it is not, then the minutes will show the decision as "**RECOMMENDED**", and will then be brought to the Council's particular attention by the Chairman of the Committee at the next meeting of the Council when seeking approval and adoption of the Committee's minutes.

In any case where a Committee Chairman is unsure whether or not any matter falls within delegated powers, or whether or not any matter should be determined by them, they should refer that matter to the next highest level of decision. A power delegated does not always have to be exercised.

PUBLIC AND PRESS

Under Section 1(2) of the Public Bodies (Admission to Meetings Act 1960) the Council or Committee may exclude the public or press from the meeting. A motion must be passed at the meeting to the effect that, "as publicity would be prejudicial to the public interest by reason of the {Special} {Confidential} nature of the business about to be transacted at Agenda Item... Namely... (state nature of business eg 'Discuss Clerk's Contract'), it is advisable in the public interest that the Public and Press be temporarily excluded from this meeting and they are herewith instructed to withdraw."

Exclusion of the public and press must be minuted but it does not have to be on the Agenda.

The exclusion of public and press should be used prudently and the Council must be clear on the reasons for doing so.

The press and public may be excluded for the following reasons:

1. To discuss terms and condition of employment, or to discuss the conduct and dismissal of a member of staff
2. Terms and proposals and counter proposals in negotiating contracts
3. Preparation in legal proceedings
4. The early stages of a dispute
5. The early stages of agreeing tender/quotation details
6. The approval of tender/quotation details

PARISH COUNCIL –

Reporting in by

Task & Finish Group: Neighbourhood Plan; Newsletter Team; Youth Work Provision

Working Party: Community Park Project; Kings Meadow; Public Art

1.0 Terms of Reference

- 1.1 Membership shall comprise all members of the Council.
- 1.2 Seven members shall constitute a quorum, so long as the total membership of the council shall not exceed 21 councillors
- 1.3 The Council will consider the annual Estimates of Expenditure of the Council and recommend an annual precept to be issued upon the District Council
- 1.4 The Council shall approve arrangements to secure the proper administration of the financial affairs of the Council under Section 151 of the Local Government Act 1972 or such other relevant legislation.
- 1.5 The Council shall deal with any matters not specifically referred to any other Committee of the Council.
- 1.6 The Council may approve any payments already made for expenditure which have been previously authorised within Standing Orders or within Financial Regulations
- 1.7 The Council may approve, prior to payment, any other items of expenditure.

2.0 Powers

- 2.1 To elect the Chairman and Vice Chairman at the beginning of the Civic year
- 2.2 To appoint the members of the committees.
- 2.3 To co-opt onto the Council new Councillors for un-contested vacancies during the term of the Council or to make arrangements for election where required
- 2.4 **To consider expenditure not within previously approved budgets.**
- 2.5 **To consider expenditure within a generally agreed budget but where the costs (or estimated costs) exceed that budget by more than 10 per cent.**
- 2.6 **To consider expenditure within generally agreed budgets but on items insufficiently clarified.**
- 2.7 To approve a calendar of meetings of the Council and its Committees.
- 2.8 To advise the Chairman on any matter relating to the execution of the functions of that office.
- 2.9 **To authorise the disposal of surplus items of plant, furniture and equipment.**

- 2.10 To nominate persons to represent the Council on other organisations
- 2.11 To ensure the Council's compliance with the provisions of the Health and Safety at Work Act.
- 2.12 To consider applications for grants within a budget previously approved by the Council**
- 2.13 To authorise support for an objection to any relevant Bill during its passage through Parliament.
- 2.14 To approve the virement of expenditure between committee categories within overall approved estimates.**
- 2.15 To approve the use by other organisations of the Parish Council logo.
- 2.16 Matters of an urgent nature requiring settlement before the next meeting of the Council, **other than financial without reference to the Financial Regulations**, may be dealt with by the Chairman and Vice Chairman at their discretion but **must be with the knowledge of the clerk** and submitted for approval or otherwise to the next meeting of the Council.
- 2.17 Matters may also be delegated to the appropriate Committee if the matter requires further information/consideration.**
- 2.18 The Chairman and Vice Chairman of the Council shall be an ex-officio voting member of every Committee and Sub-committee of the Council

ALL COMMITTEES:

- Non Committee members can address the Committee, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item
- The **quorum** necessary for the transaction of any business shall be **three except in the case of Planning which is four**. If the number of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum then the **meeting shall be adjourned and business not transacted shall be transacted at either the next full Council meeting or the next meeting of the Committee** or on such a day as the Chairman may fix
- The Committee shall appoint a Chairman by election from members of the Committee at the first meeting in any financial year
- The Committee can co-opt and co-opted members can vote on management of land **as long as it is for items within a budget determined by the Council**

Notice of Meeting

The Clerk will call a meeting of each Committee at such time as agreed by the Committee or the Committee Chairman and publish the Agenda following standard Council practice.

Minutes of Meetings

Every meeting of a Committee shall be minuted and the minutes agreed by the Committee at its next meeting. The minutes shall then be published according to standard Council practise. Draft minutes may be published with the agreement of the Committee, so long as it is clearly indicated that they are draft and could be subject to change at a later date.

Delegation of Powers

The Committee may spend up to its agreed delegated budget without recourse to Full Council on items or cost categories that have been budgeted. Virement can be made between cost categories if necessary. Any items that have not been budgeted for must be referred to Full Council as soon as possible.

Non financial matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman of the Committee at their discretion **but must be with the knowledge of the Clerk and submitted for approval or otherwise to the next meeting of that Committee.**

Parish Clerk and RFO Delegation – see also page 16

The Clerk or RFO may proceed with any project, in conjunction with the Chair of Committee once decision to proceed taken by Council or Committee

The Clerk or RFO may spend on any matter deemed as an emergency, up to £2,500 for that class of expenditure in the approved budget headings in any one reporting period

ENVIRONMENT COMMITTEE

Reporting in by

Task & Finish Group: Homefield Park Estate Railings Project

Working Party: Sustainability; Public Art

1.0 Terms of Reference

- 1.1 Membership shall comprise 6 members of the Council + ex-officio members
- 1.2 The committee shall normally meet bi-monthly as per the calendar of meeting circulated by the Clerk at the beginning of the year, as long as there is business to conduct and at such times as the Committee Chairman shall require

2.0 Powers

The Environment Committee has the **delegated authority** to:

- 2.1 **Authorise expenditure on revenue items up to the amounts included for that class of expenditure in the approved budget**
- 2.2 Arrange for production of and signing off of policies
- 2.3 Support the Environment Statement and continue to review, implement and develop the plan including the Public Art Strategy, Tree Policy and Sustainable Energy
- 2.4 Manage and maintain the public unequipped open spaces including: the War Memorial, Ambrose Way, Manorial Waste, Sec 52, Doctors Close, The Copse, The Coppice, rear of Manor Park, Allotments, Village Green, Homefield Park, trees and street furniture in the sole ownership of the Council, and agree their usage by outside organisations
- 2.5 Oversee condition of public bridleways and report issues to County Council
- 2.6 Manage other land (eg County Council verges) which the Council (on the recommendation of the Committee) accepts temporary responsibility for
- 2.7 Establish and maintain a regular cycle of tree inspections by properly qualified and responsible organisation, and act on those recommendations so as to manage the Council's liability
- 2.8 Recruit and retain volunteers
- 2.9 Maintain the two village signs
- 2.10 Administer the Burial Ground, adhering to agreed Regulations, maintain all the facilities on the site and to approve applications for Exhumation Orders
- 2.11 Administer both allotment sites, Glebe Way Impington, Gatehouse Road, Histon
- 2.12 **Agree the level of charges in respect of the Council's cemetery, allotments and any other areas within the Committee's remit**
- 2.13 Maintain and administer all aspects of the Village Green including: maintenance, bookings, signage, rails, fencing, duck viewing platform
- 2.14 Oversee day to day management and maintenance of assets: e.g. Crossing Keepers Hut, Village Signs, Youth Shelter, Bus Shelters
- 2.15 Oversee provision of dog and litter bins, refuse and litter picking issues

2.16 Agree the purchase of items of plant and equipment within generally approved budgets where not already identified.

2.17 Initiate new projects and monitor completion of projects

FINANCE LEGAL & ADMINISTRATION COMMITTEE

1.0 Terms of Reference

1.1 Membership shall comprise 5 members of the Council + ex-officio members

1.2 The Committee shall normally meet quarterly, as per the calendar of meeting circulated by the Clerk at the beginning of the year, as long as there is business to conduct and at such times as the Committee Chairman shall require. At least one meeting should be called to draft the budget for the following financial year and recommend a precept level to Full Council

1.3 The Committee is not responsible for reviewing the salary of employees

2.0 Powers

The Finance Legal & Administration Committee has the **delegated authority** to:

2.1 ***Authorise expenditure on revenue items up to the amounts included for that class of expenditure in the approved budget***

2.2 Review the accounts and estimates throughout the year

2.3 Arrange for production of and signing off of policies except Employment

2.4 Submit to the Council consolidated estimates of income and expenditure for the next financial year and to recommend the annual Precept required

2.5 Review insurance, at least annually

2.6 Consider financial implications of any matters raised by Committees and Working Groups

2.7 Ensure that the Parish Council meets its internal and external audit requirements and to receive and consider internal and external audit reports

2.8 Monitor budget against actual spending

2.9 Formulate medium and long term financial strategies

2.10 Ensure the Asset Register is accurate and current

2.11 Oversee legal aspects of assets e.g. registration, insurance and conduct Strategic Asset review and action as appropriate

2.12 Ensure that PAYE is administered in accordance with regulations

2.13 Regularly review Parish Council Standing Orders and Financial Regulations

2.14 Respond to consultations and requests regarding legal processes

2.15 Oversee property matters

2.16 Oversee office management issues

2.17 Regularly carry out Risk Management Plan and Risk Assessment Reviews and take appropriate action

- 2.18 Authorise the attendance of members or officers at conferences or courses including the incurring of necessary expenditure.
- 2.19 To ensure that the Committees receive up to date Financial Statements at each meeting

EMPLOYMENT COMMITTEE

1.0 Terms of Reference

- 1.1 Membership shall comprise 4 members of the Council + ex-officio members
- 1.2 The committee shall normally meet quarterly as per the calendar of meeting circulated by the Clerk at the beginning of the year, as long as there is business to conduct and at such times as the Committee Chairman shall require

2.0 Powers

- 2.1 To agree job descriptions for all staff and suitable salaries.
- 2.2 To oversee training opportunities for Committees, Councillors and staff
- 2.3 Annually to review staffing levels and **make recommendations to the Parish Council** now and in the future
- 2.4 To receive annual reports on staff appraisals in October of each year.
- 2.5 Regularly review Employment policies. Conduct an annual review of terms of employment December annually
- 2.6 Chairman and clerk delegated to authorise the advertisement of vacant posts within an agreed staff establishment

PLANNING COMMITTEE

Reporting in by

Task & Finish Group: Darwin Green

1.0 Terms of Reference

- 1.1 Membership shall comprise 9 members of the Council + ex-officio members
- 1.2 The Committee shall normally meet every two weeks as per the calendar of meetings circulated by the Clerk at the beginning of the year, as long as there is business to conduct and at such times as the Committee Chairman shall require

2.0 Powers

The Planning Committee has the **delegated authority** to:

- 2.1 ***Authorise expenditure on revenue items up to the amounts included for that class of expenditure in the approved budget***
- 2.2 Make representations to the appropriate planning authority on applications for planning permission
- 2.3 Make representations in respect of appeals against the refusal of planning applications
- 2.4 Identify and make representations to the relevant authority in respect of enforcement action or any other matters considered to be breaches of planning regulations
- 2.5 Consider and make representations to the appropriate authorities on any planning related matter or document that may affect the Parish from a planning perspective
- 2.6 Receive and consider applications for planning permission received from the Local Planning Authority. Having regard to the parish map, parish amenities and other relevant considerations, shall make suitable recommendations to the Local Planning Authority as to whether or not planning permission should be granted, withheld or granted subject to certain conditions.
- 2.7 Receive on behalf of the Council such statutory notifications as fall within the function of Town Planning.
- 2.8 Act in respect of any other matter requiring any form of planning consideration and which is within the purview of the Committee and which requires some form of recommendation to the Council.
- 2.9 Represent Council at any Committee, Sub-committee, panel or form of another authority to support the Council's best interests on any matter within the remit of this Committee

HIGHWAYS COMMITTEE

1.0 Terms of Reference

- 1.1 Membership shall comprise 6 members of the Council + ex-officio members
- 1.2 The Highways Committee shall normally meet quarterly as long as there is business to conduct and at such times as the Committee Chairman shall require.

2.0 Powers

The Highways Committee has the **delegated authority** to:

- 2.1 ***Authorise expenditure on revenue items up to the amounts included for that class of expenditure in the approved budget***
- 2.2 ***Monitor traffic management, parking and speeding problems within the villages***
- 2.3 Monitor transport issues, including cyclists, Guided Busway, bus service and shelter requests
- 2.4 Co-ordinate with Highways Division and County Council Traffic Management
- 2.5 Make representation to the relevant authority in respect of highways management and maintenance i.e., roads, footpaths, cycle ways, street lighting, Gritting, bollards, street name signs and other observations from walkabouts
- 2.6 Contribute to a transport plan for the villages
- 2.7 Report matters associated with Highways projects and consultations, i.e A14, HCV, Co Op Crossing, Double Yellow line request, speed limit issues, A14 toucan and new and proposed traffic control schemes
- 2.8 Formulate bids for schemes such as Jointly Funded Minor Improvements Schemes

RECREATION COMMITTEE

1.0 Terms of Reference

- 1.1 Membership shall comprise 5 members of the Council + ex-officio members
 - The Committee can co-opt up to FOUR members of the major user groups (currently Histon Bowls Club, Histon Cricket Club, Histon Hornets and Histon Tennis Club)
 - co-opted members can vote on management of land and buildings as long as it is for items within a budget determined by the Council, but not on matters relating to financial aspects of hiring and fees of the facilities provided by the Council
 - 3 Parish Council members shall constitute a quorum at Recreation Ground Committee meetings. The meetings will only be quorate if **3 Parish Council** members are present. Co-opted members may only vote on items with budget determined by the Committee when the meeting is quorate. The number of voting club representatives must not exceed the number of Parish Council members present and able to vote at any meeting and under such circumstances no vote shall take place
 - If a quorum is not present when the committee meets or if during a meeting the number of Councillors present (and not debarred by reason of a declared prejudicial interest) falls below the required quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such a day as the Chairman may fix
- 1.2 The Committee shall normally meet monthly as per the calendar of meetings circulated by the Clerk at the beginning of the year, as long as there is business to conduct and at such times as the Committee Chairman shall require

2.0 Powers

The Recreation Committee has the **delegated authority** to:

- **2.1 Authorise expenditure on revenue items up to the amounts included for that class of expenditure in the approved budget**
- 2.2 Review annually and when deemed necessary, the fees required for the hiring of the rooms and grounds in the Council's ownership
- 2.3 Manage and maintain the buildings and public open spaces at 12 New Road, the Recreation Ground, South Road and the Green Play Area in the sole ownership of the Council
- 2.4 Discuss, review and manage sporting and recreation facilities
- 2.5 **Submit to the Council** proposals for new and improved services
- 2.6 **Approve rents and fees** for persons using the facilities provided by the Council
- 2.7 **Approve annual fees** for member clubs
- 2.8 **Approve hiring agreements**
- 2.9 At its first meeting in the financial year plan and review the budget

Working Parties

Sustainability

Background and Purpose:

Sustainability is an important part of both local and national initiatives, enabling people to reduce their negative impact on the natural environment. It is proposed that a Sustainability Working Party be formed, composed of both Parish Councillors and residents, reporting with recommendations for action to the Environment Committee (EC). The framework for the Working Party's agenda will be the commitments outlined in the Parish Council's Environment Statement (adopted 14th May 2014) and the areas related to Sustainability in the villages' Neighbourhood Plan (document to be finalised 2014).

Membership:

Due to the importance of community engagement with sustainability projects, the group will comprise both residents and Councillors. There should be at least two Councillors, one of whom should also serve on the Environment Committee, and up to eight residents. The recruitment of residents will be based on their enthusiasm and areas of expertise related to Sustainability.

Frequency of Meetings:

As required. It is anticipated that the frequency of meetings will be related to the number of projects which the group is engaged on and the availability of members.

Minutes of Meetings:

On a revolving basis, a volunteer from the meeting will be identified to take simple, bullet-type notes of what was discussed, any decisions made and further actions required. These notes will be reviewed by PC administrative staff prior to publication on a dedicated Sustainability page on the Council's website. The timeframe for publication is 7 working days.

Remit and Scope:

To develop a programme of initiatives based on the following Sustainability topics:

- Recycling
- Transportation
- Food
- Nature Conservation
- Political influence
- Energy

It is important to avoid duplication of effort between the Environment Committee and the Sustainability Working Party. This issue will be minimised by ensuring there is at least one Councillor in each group. It is that individual's responsibility to ensure there is co-ordination between the two groups' activities by attending EC meetings and/or through discussions with the Chairperson.

Timelines:

After one year (October 2015), a review will be conducted by the group which will include but not limited to the following areas –

- What is working well within the group and what requires improvement?
- Should the group become a permanent entity within the Environment Committee?
- Identify the group's web page requirements.
- Is the remit and scope listed in this document sufficient for the activities of the group?
- Based on the agreed future structure the group, address requirements.

Community Park Project Working Party (Interim)

Frequency of Meeting

The Working Party will meet as and when necessary to discuss relevant Community Park Project issues

Notice of Meeting

The Convener will call a meeting of the Working Party as and when necessary

Record of the Meeting

Every meeting of the WP shall be reported to Full Council. A summary of substantive points covered to be published and reported to Full Council

Area of Responsibility

The Community Park Project WP has the delegated authority to progress a potential development of recreational and leisure facilities, and affordable/social housing at a site in Milton Road, Impington in line with the aspirations of the community

Membership

There should be at least five Councillors, and up to four residents. The recruitment of residents will be based on their enthusiasm and areas of expertise related to the whole project and will be selected by Parish Council members of the WP

Frequency of Meetings:

As required. It is anticipated that the frequency of meetings will be related to progress with the project in the first instance

Minutes of Meetings:

On a revolving basis, if the Clerk is unable to attend, a volunteer from the meeting will be identified to take simple, bullet-type notes of what was discussed, any decisions made and further actions required

Sub Groups:

These may be formed by the Working Party for specific purposes related to the project

Timelines:

After one year (May 2017) a review will be conducted by the group of projects progress to date

Public Art

Background:

Public art is now a component of significant planning applications. The developer has the option of providing it themselves (eg Merrington Place) or providing a financial equivalent towards the delivery of art by another body. In at least two recent cases (NIAB development at Park Farm and Primrose Lane) money has been offered. In both cases this has been covered under a S106 agreement - and therefore has to be spent within a certain time - the Park Farm sum (around £14,000) has to be spent within 18 months or so.

Furthermore, there are opportunities to expand the sums of money available by application for grants.

However, we should also look at public art as an end of itself - that a well designed and appropriate feature (see, for example, some of the Merrington Place art) is attractive and

interesting of itself, adds to the environment, and makes the village a more interesting place to live.

Public art, and its provision, has scope also to contribute to community spirit and cohesion (see, for example, the range of excellent work on Orchard Park). Public art also creates a sense of place, and encourages response and engagement with the location.

The working group, therefore, should have an ongoing, and strategic, role.

Purpose of group:

To be responsible for all aspects of public art within Histon & Impington, specifically to:

- identify the need and opportunity for public art, including at least: sites, nature of works, arrangements for selection and procurement;
- agree the use of specific public art funding as it becomes available, and seek additional funding wherever appropriate and possible;
- develop specific plans for the provision of street art, to set a budget and manage accordingly.

In addition, to:

- review, update and maintain the public art strategy;
- undertake an audit of existing works in the village that should be classified as public art, document and map same;
- identify, document and map potential locations/opportunities for public art, and make all possible arrangements for the safekeeping of those sites;
- ensure that, as far as possible for existing, and for all future physical public art, appropriate maintenance schemes are in place.

Reporting:

As a working group spend decisions will have to be made by Council or Committee (eg Environment).

Particularly with respect to the Park Farm monies, in order to maintain momentum and give us the best chance of spending before the money has to be returned, it is recommended that the working party reports to Council.

Once the works to be covered by the Park Farm funding have been commissioned and completed, the reporting line for the group will be reviewed. At the time of writing the two choices would appear to be continuing to report to Council or to report to Environment Committee.

Membership/Co-Option:

Membership will be drawn from Councillors who have an interest or skills/knowledge in/of the topic. At the time of writing, Councillors who have expressed an interest are:

Hooda Abdullah, Brian Ing, Pene Nudds, Denis Payne, Josephine Teague

The group is expected to co-opt one or more residents with skills/knowledge/interest of or in the topic.

NB (again, as with elsewhere, e.g. Orchard Park) professional assistance may be sought to facilitate and manage projects.

Budget:

Administration costs will be covered within the general budget for Council admin.

Budget is currently Park Farm (approximately £14,000) and Primrose Lane (£30,000). Both may have interest added.

Wherever possible and appropriate the group should be seeking funding from other sources (grant making bodies etc) in addition. As such the total of approximately £45,000 is a minimum.

Communication:

The group will publish minutes of meetings to Council.

All reports will be published on the website and will be accompanied by appropriate drawings, plans and maps if required.

Community engagement will be important. The group, working with co-opted members, will use all reasonable endeavours to present designs, design options and siting proposals to the public and gather feedback and support for schemes prior to submission of spending plans to Council

Kings Meadow

Reporting:

The Kings Meadow Working Party reports to Full Council

Membership/Co-Option:

Membership of the Kings Meadow WP should not exceed 10 members of which

- At least 2 should be members/officers of the Parish Council
- Wherry Housing Representative/s
- Resident members, one of which shall act as Convener
- All members shall be voting members
- The quorum shall be 3 of which at least 1 must a Councillor

Objectives:

The objectives of the WP shall be:

- Work to identify areas of spending requirements at Kings Meadow
- With due regard to the Council's Standing Orders and Financial Regulations, obtain costings for work identified
- Continue to determine the best way to address the needs for local representation of Kings Meadows residents

Powers:

Working Parties cannot make decisions on behalf of the Parish Council, and any recommendation made by working parties will be subject to approval by the Council or suitability authorised Committees or members of staff

Meetings:

The Kings Meadow WP shall meet at least three times per year, May, September, January and when required. The meetings may not be formally clerked, in this case a volunteer from the meeting will be identified to record any decisions made and actions agreed. These maybe posted on the website in lieu of minutes

Task & Finish Groups

Youth Work Provision

Purpose:

1. To identify the most appropriate mode for providing youth work for residents of the villages of Histon & Impington. This will include:
 - Type and variety of youth work to be delivered
 - Structure for employment and management of youth workers
2. To make a recommendation for youth provision to Full Council
3. To implement the approved recommendation

Timeframe:

1. The recommendation to be put to Full Council for approval no later than the Full Council Meeting in July 2016
2. The recommendation to be implemented by 31st March 2017

Meetings:

1. The Task & Finish Group will meet as and when necessary to discuss relevant issues and progress the objectives of the group
2. The date of the first meeting will be set at the group's creation dates for subsequent meetings will be agreed at each meeting. Additional meetings may be requested by any member of the group and agreed via email
3. Informal notes including any decisions made and further actions required, will be taken at every meeting of the Task & Finish Group; the responsibility for this will be decided at each meeting on a rotational basis
4. Each meeting will be reported to Full Council

Membership:

1. The Task and Finish group will consist of the Youth Work Liaison Office, the Clerk to the Parish Council and up to two other Parish Councillors
2. Other people with relevant experience, will be asked to contribute to discussions by invitation