

Abinger Parish Council

Abinger Common, Abinger Hammer, Forest Green, Oakwood Hill & Walliswood

Terms of Reference & Schemes of Delegation

Council, Committees, Sub-Committees and Working Groups

INTRODUCTION

Local Councils may only do what legislation requires or permits them to do. The Local Government Act 1972, s101 (with some exceptions) allows the Council to delegate functions to committees, sub committees, officers, or other authorities.

The business and proceedings of Abinger Parish Council, its Committees, Sub-Committees and Working Groups is also regulated by its Standing Orders, but in general: -

- Committee Members will be agreed at the Annual Meeting of the Council in May ¹ Committees should, where possible, have representatives from both wards.
- The calendar for Committee Meetings will be agreed at the Annual Meeting of the Council in November.
- Planning Committee Meetings will be held the first Monday of each month, throughout the year at 6:00pm unless otherwise stated on the agenda.
- Election of the Committee Chair and Vice-Chair will be the first business of the initial Committee/Sub-committee/Working Group Meetings.
- The Clerk or other appropriate officer will record meetings.
- Standing orders on rules of debate and interests of members apply.

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Full Council

[Words appearing in **bold**, below, indicate specific authority.]

Specific duties and powers reserved to the Full Council

- i. **Duty** to sign declaration of acceptance of office (Councillors and Chair)
- ii. **Duty** to appoint a Responsible Financial Officer to manage the council's accounts
- iii. **Power** to arrange for the discharge of functions by another local authority
- iv. **Duty** to hold annual parish council meeting
- v. **Duty** to hold annual parish meeting
- vi. **Power** to convene a parish meeting

General powers Budget and constitution

- i. To **approve** an annual budget, reflecting priorities identified through operational review.
- ii. To **approve** the annual budget precept.
- iii. To **approve** the financial management framework, financial procedures and controls, including audit, across all its services.
- iv. To **approve** annual objectives, targets and performance indicators.
- v. To **approve** Financial Regulations and ensure their annual review.
- vi. To **approve** the staffing structure.
- vii. To **approve** a performance management policy and pay policy ensuring that these meet nationally agreed terms of pay and conditions.
- viii. To **approve** the use and development of land and premises, including any shared or off-site facilities, including security.
- ix. To **approve** the Risk Assessment and Financial Management document (annually).
- x. To **approve** Standing Orders and ensure their annual review.
- xi. To **approve** capital projects and developments across all services.
- xii. To **approve** any policy affecting the conduct of the Council, its services and its staff.
- xiii. To **approve** changes to the Council's Constitution, including any recommendation from a committee to **establish** any sub-committee.

Powers related to services

- i. To **approve** fees and charges annually.
- ii. To **approve** action in response to issues in relation to planning and highways.
- iii. To **resolve** on any controversial planning application

Reserving of Powers

Full Council retains the right to determine (and to reserve to itself) any issue which is within its powers and duties as a parish council, including those which are (within these terms of reference and from time to time) delegated to its committees and officers, by simple resolution.

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The Planning Committee

Purpose

To consider all planning applications for Abinger and make recommendations to Mole Valley District Council.

TERMS OF REFERENCE

To consider and comment on every planning application affecting Abinger. This includes

- Planning applications
- Highways matters & issues.
- Public transport

To ensure that planning applications for developments within the parish boundary are sent from Mole Valley District Council for the committee to comment on.

Applications of a large or contentious nature will be referred to the Chair (or Vice-Chair) of the Council within two days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council (*Standing Order 6.1*).

Committee

Four or more Parish Councillors. Substitute members are permitted, provided two days' notice has been given to the Proper Officer.

Quorum

Three members must be present for this meeting to commence.

Meetings

The Committee meets on dates and times as approved by the Council and will usually take place the first Monday of each month. Extraordinary meetings may be arranged if deemed necessary.

SCHEME OF DELEGATION

- The Committee is **authorised** to object or oppose an application. This is to be documented in the minutes of the meeting and decisions conveyed to Mole Valley District Council via its *Planning Applications and Planning Permission* process online.
- Where an application is subject to an appeal, the committee is **authorised** to make written representation or to elect a member of the committee to attend the hearing.

Appointment of sub-committees, panels, working or task and finish groups

The Committee can **appoint** panels, temporary working or task and finish groups relevant to the functions of the Committee and receive reports from them and may request the Council to establish any relevant subcommittees.

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Working Groups

TERMS OF REFERENCE

1. The Council shall be free to create working groups for specific purposes comprising of members of the Council and others (subject to approval by Council) by virtue of their knowledge, experience or professional qualifications.
2. The Council shall assign and outline the task(s) or project(s) to be undertaken by the Working Group. No powers or duties shall be delegated to a Working Group – the Working Group is to act as an advisory body and/or to complete tasks assigned for completion by the Council.
3. Any member of the Council can head or be deputy head of a group. It must be made clear to the working group and Council who is the head of any working group and the head shall be responsible for all arrangements pertaining to meetings including agendas, note-taking and the submission of reports and proposals to the Council – it should be noted that the Council cannot, and will not, make a decision without a report and proposal from the Working Group.
4. The responsibility for notifying the Clerk of an agenda item, supplying a report and proposal to the Council is the responsibility of the Head of the Working Group.
5. The head of a Working Group must provide a monthly report of substantive activity by the Working Group and outline the Group's proposed next steps for review by the Council (and any member of the public). There is no need for a report to Council where there has been no activity by a Working Group.
6. Any working group must include a minimum of two Council members.
7. Any member of the Council, and the Clerk, can join or participate in the activities of a Working Group.
8. Working Groups shall be dissolved by the Council when their work is completed.
9. These terms of reference refer to working groups and not to any kind of Committee (other terms of reference will apply to those bodies as well as sub-committees)

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Forest Green Playground Proposal - Working Group

PURPOSE

The Working Group will have overall responsibility for investigating the request for the installation of a playground on Forest Green Village Green.

TERMS OF REFERENCE

The Group will be responsible for the following in consultation with the Parish Council:

- Producing a Project Plan
- Consultation and community engagement.
- Identifying the best site for a playground
- Development of a design or scheme for the play area.
- Identification of funding sources.
- Oversee the grant funding and tendering process.
- Oversee implementation of the design including installation.
- Developing a long-term strategy for maintenance
- Providing regular reports, updates, and recommendations to the Parish Council.

WORKING GROUP

Three or more Parish Councillors and up to seven members of the public. Full Council to appoint a Lead and Deputy Councillor.

QUORUM/MEETINGS

No quorum is needed. The Lead councillor or Deputy and at least two other members need to attend meetings on dates and times as approved by the Council which will usually take place the first week of each month.

SCHEME OF DELEGATION

To be responsible for all arrangements pertaining to meetings including agendas, note-taking and the submission of reports and proposals to the Council – it should be noted that the Council cannot make any decisions without a report and proposal from the Working Group.

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The Clerk¹

General

To act as the Council's Responsible Financial Officer in ensuring that the Council's financial processes and records are acceptable and that the Council's finances are carefully administered.

To **assume total responsibility for ensuring that the instructions of the Council are carried out** in connection with its function as a local authority.

To **make orders, incur expenditure and process payments** within authorised budgets.

To **be accountable** for the effective management of all of the Council's resources.

To have **overall responsibility for the Council's administrative service**.

To **act as a general manager** in respect of all of the Council's services, projects and initiatives.

Specific Responsibilities

To have **overall responsibility for the Council's accounts** and for the preparation of appropriate records for audit and VAT purposes.

To **assume overall responsibility for the supervision of the Council's staff**, in keeping with the policies of the Council, and to ensure that all necessary activities are undertaken in connection with the management of salaries, conditions of employment and work of staff.

To **ensure that the contractual arrangements** with the Council's contractors are organised on an acceptable basis.

To **liaise with outside organisations** (locally, regionally and nationally) to strengthen the role of the Council and to effect improved communication.

To **act as the representative of the Council as required**.

To **have overall responsibility for maintaining, implementing and monitoring the effectiveness of the Council's procedural and policy documents, within the policy framework defined by the Council**.

¹ And, in the absence of the Clerk, the other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent, as defined in Standing Order 16.1