



HOLYBROOK PARISH COUNCIL

Proudly serving the residents of Holybrook Parish since 2000

TERMS OF REFERENCE FOR COMMITTEES AND SCHEME OF DELEGATION

General

DEFINITIONS

1. Standing Committee(s): a permanent committee that meets regularly.
2. Council: Refers Holybrook Parish Council

1 RESERVATION OF POWERS OF THE PARISH COUNCIL

The following subject matters are reserved for full council approval and agreements of Committees in relation thereto shall be submitted to the Council as recommendations for formal ratification:

- 1.1 The determination of the Council's Precept.
- 1.2 The purchase, sale or leasing of assets.
- 1.3 To borrow money.
- 1.4 Any major variation of any policy decision previously taken by the Council and the declaration of any new policy provided that the formulation of such policy or policy variations has been dealt with by the appropriate committee. The decision as to whether or not a matter is one of policy within this paragraph shall rest with the Parish Clerk.
- 1.5 The incurring of expenditure for which no provision or insufficient provision has been made.
- 1.6 Any addition to, deletion of or amendment to Standing Orders relating to the proceedings of the Council, to the Terms of Reference of Committees, and to the Financial Regulations.
- 1.7 Planning applications of a complex nature, for example, but not limited to: multiple dwellings developments, 'called in' applications with 10 or more objections.

- 1.8 To appoint the Parish Clerk.
- 1.9 The dismissal of the Parish Clerk.
- 1.10 To consider and determine appeals by staff against a decision of the Council in relation to applications for salary regrading.
- 1.11 To consider and determine appeals by employees of the Council against disciplinary action taken by the Parish Clerk.
- 1.12 To resolve grievances by employees.
- 1.13 Approve any increases in salary or rates of pay beyond the recommendations of the various advisory bodies.
- 1.14 Award bonus payments to staff.

2 CONDITIONS AND PROVISIONS RELATING TO DELEGATION

- 2.1 All delegated powers and duties shall be exercised and performed on behalf of and in the name of the Council.
- 2.2 All Committee meetings (including sub-committees) shall be open to members of the public, although the Committee may resolve to exclude the press and public under s1 Public Bodies (admission to Meetings) Act 1960 only when confidential matters arise.
- 2.3 Relevant committee minutes (draft form accepted) shall be received at each meeting of the Full Council (although approval of those minutes is a matter for the Committee and not the Full Council).
- 2.4 Delegation of powers shall be subject as follows:
 - 2.4.1 To the limitation imposed by the Standing Orders and Financial Regulations relating to estimates, expenditure and contracts and land, and property respectively.
 - 2.4.2 To such general directions, limitations and modifications as the Council may decide.
 - 2.4.3 A matter, where the proposal constitutes a major variation of existing policy or has legal, financial or personnel implications which should more properly be dealt with by full council.
 - 2.4.4 No Working Party shall have delegated powers or specific budgets.

- 2.5 Where the Parish Clerk chooses not to exercise their delegated powers, the appropriate Committee, to whom such decision would have been reported for information, shall have the power to make a decision on the Clerk's behalf.
- 2.6 References to 'Chairman' shall include the Vice-Chairman if the Chairman is not available to act.
- 2.7 Each Committee shall have the power to determine all matters within their Terms of Reference subject to any reservation of powers to the Council as specified in 1 or 2.4 above.
- 2.8 Each Committee shall have the authority to appoint a sub-committee or working party to enable the concentration on specific tasks. Sub-Committees shall have the same delegated authorities as the delegating Committee. A working party shall not have the same delegated authority of the delegating committee.
- 2.9 Where a committee considers appointing a councillor, or their firm, or partnership to do work for, or on behalf of, the Council then the final decision shall rest with the Full Council. Clear reasoning/justification recorded in the minutes of that meeting.
- 2.10 A chairman and vice-chairman for each delegated committee shall be elected at the Annual Meeting of the Council.
- 2.11 If the elected person should step-down from the Council during the year, the Committee may elect a new Chairman/vice-chairman from its existing membership ensuring the Council is informed at the next available full council meeting.

3 MATTERS TO BE DEALT WITH BY THE FULL COUNCIL

The following matters shall be dealt with by the Council without being first considered by a Committee.

- 3.1 To authorise the sealing of documents where no standing authorisation exists.
- 3.2 Approve the Annual Governance and Accountability Return (AGAR).
- 3.3 Confirmation of General Power of Competence.
- 3.4 Election of the Parish Chairman.
- 3.5 To receive the reports of the Internal and External Auditors and to refer them to the Finance Committee for an appropriate action plan as required.

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