

Cheverell Magna Parish Council

**Terms of Reference
and
Delegation of Powers to Committees
& Working Groups**

**2022 – 2023
Adopted October 2022**

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Note: Amendments to these Terms of Reference may be made from time to time by resolutions of the Parish Council.

Terms of Reference

Cheverell Magna Parish Council

The following matters shall be reserved for decision by the Parish Council.

1. The Precept
2. Borrowing money
3. Making, amending, or revoking Standing Orders, Financial Regulations, Duties and Powers of Proper Officer provisions
4. Making, amending, or revoking by-laws
5. Making of Orders under Statutory Powers
6. Matters of principle or policy
7. Addressing recommendations in any report from the Internal and External Auditors
8. Nomination or appointment of representatives of the Parish Council on any authority, organisation, or body (except approved conferences or meetings)
9. Nomination of members of all proper and sub committees
10. New powers or duties
11. Prosecution or defence in a Court of Law
12. Nomination or appointment of representatives of the Council to any enquiry on matters affecting the Parish
13. To receive and adopt the Annual Accounts
14. To receive and sign off the Annual External Audit and Return
15. To receive reports referred to the Parish Council from Committees/Sub-Committees
16. To set up Working Groups as necessary
17. To receive reports and consider recommendations from all Working Groups set up by Parish Council
18. To authorise the sealing of various documents with the Common Seal
19. To appoint representatives on outside bodies or joint bodies
20. To confirm the appointment of the Chairman /Vice Chairman
21. To confirm the schedule of meetings of the Parish Council/Committees/Sub-Committees for the ensuing year
22. To receive petitions and deputations from members of the public or any organisations
23. Any other matters not delegated to a Committee or Sub-Committee or referred to the Council by Committees or Sub-Committees

Terms of Reference

Planning Applications

The Parish Council considers all planning applications in the Parish. Comments are sent to the Unitary Council as part of their consultation procedure. The aim is to use Planning Law, Wiltshire Council's Core Strategy, Policy, and Periodic Planning Guidance notes to preserve and enhance the character of the village it serves, whilst encouraging its commercial and social vitality.

24. To consider all planning applications sent for consultation by Wiltshire Council and comment on behalf of the Parish.
25. To deal with requests for street naming.
26. To produce and publish any information for the public about planning matters, except plans which hold copyright.
27. To delegate the power to the Clerk in discussion with the Chairman or Vice Chairman, to make recommendations to Wiltshire Council on minor revisions to applications for which there is insufficient time to call a Council meeting. The exercise of this power should be consistent with established practice and policy of the Parish Council, where defined, and shall be reported to the next Council meeting.

Financial Matters

The Parish Council manages its budget to ensure all expenditure is authorised where necessary and all income is collected. It also manages the assets of the Parish that it owns or manages.

28. All financial matters which include monthly management accounts and reports of paid invoices for goods and services.
29. Allocation of grants within agreed criteria and budget.
30. Agree and manage maintenance contracts and budgets for all services and assets owned by the Parish
31. To consider any tender documents as and when necessary.
32. To prepare a budget no later than December each year.
33. Monitor income and expenditure within the budget estimates approved by the Parish.
34. Review the Financial Regulations, as necessary.

HR Matters – Working Group

The Parish Council is responsible for all staffing matters and includes all training and development matters, including those for elected Members. The Parish is also responsible for all Health & Safety issues and the relevant required risk assessments.

35. To advertise for staff appointments and arrange interviews.
36. To carry out the Clerk's appraisal and agree objectives.
37. To agree and arrange training requirements for staff and Councillors within the agreed budget.
38. To consider, and bring to a conclusion, any matters of grievance or discipline as outlined by the Parish Council policies and applicable to all members of staff employed by the Parish Council.
39. To discuss with the Clerk any issues relating to pay levels and staffing.
40. To deal with any complaints made against the Parish Council in accordance with the Council's Complaints Procedure
41. To ensure that the Council complies with Health and Safety issues including the annual risk assessment procedure.

Outside Spaces

The Parish Council coordinates all transport, highways, and environmental issues in the Parish. This includes play areas Street furniture, road maintenance, new highway projects and speed limits, rural footpaths, byways, and all other rights of way.

42. To consider and comment on any highways and transport matters and make referrals to the Local Highway and Footpath Group where necessary.
43. To consider and comment on Footpaths, bridleways, and rights of way.

Working Groups

Working Groups set up by Cheverell Magna Parish Council.

1. Membership

Members can be appointed and so can non-elected members of the public or any other representative from a properly constituted body.

2. Delegated Business

The Working Group has delegated authority to discuss and debate items as specified by the Parish Council in a brief which should be minuted:

- 2.1 No Working Group shall have powers to make decisions on policy or budget commitment. Recommendations shall be put before the Parish Council for ratification.
- 2.2 Agendas shall be put together by the Clerk in conjunction with the Chairman.
- 2.3 Minutes of Working Groups will be made available to all members and the public on request. They will be prepared by the Clerk unless other arrangements have been made.
- 2.4 Meetings of Working Groups will not necessarily be open to the public, but

all reports will be available once adopted by the Parish Council.

- 2.5 The general ToRs can be expanded for any working group if required to enable the completion of a project. Any additional ToRs will be adopted by the Parish Council.

Co-option Policy

1. Working groups of Cheverell Magna Parish Council, can co-opt members who are not elected Councillors to assist with the work of their group.
2. Co-opted individuals shall have no jurisdiction over the spending of budget or the preparation of such.
3. The co-option of an individual is not to be confused with the filling of a casual vacancy on the Parish Council, which would only arise if an elected member should resign, die, or be disqualified.
4. Co-option will not be politically led nor be a vehicle to enlist those parties not represented on the Parish Council.
5. Co-opted members will be known as Advisers.
6. Advisers can be appointed by a working group if additional expertise is required to make decisions or add knowledge that would be of benefit to the working group concerned.
7. Advisers will have no voting rights. There are exceptions to this rule, and non-members would have a vote in four cases. These four are the management of land, harbour functions if the council is a harbour authority, tourism functions and the management of a festival.
8. All members of the Parish Council will vote for an individual adviser to be appointed by way of a resolution in a public meeting.

Current working groups in place @ September 20222:

HR Working Group – Membership is 3 and the quorum is 3. Councillors Jones, Hayward and Burgess

Pavilion Landscaping: Membership is 2 Councillors Burgess and Jones

Village Resilience Group: to set up and deal with emergencies, including likely flood issues. Councillor Alexander and invitation to members of the public.

Neighbourhood Plan: still open for consideration. Research to be carried out.

