



Terms of Reference & Delegation Scheme

For approval: 14 May 2019

DECISION MAKING

The Full Council can take all decisions on behalf of the Parish Council, or it may appoint one or more committees for the purpose of discharging any of its functions.

This document sets out:

- The Terms of Reference for each Committee
- The Functions delegated to Committees
- The Terms of Reference for each Working Party

EMERGENCY POWERS

At the request of the Clerk and in circumstances deemed to be exceptional and urgent the Chair and Vice-Chair to exercise any powers afforded to Full Council. This is on condition that the decision cannot wait until the next meeting, the Chair and Vice-Chair are satisfied that the decision is not against Council policy, is financially viable or defensible and is reported to the next Full Council Meeting.

At the request of the Clerk and in circumstances deemed to be exceptional and urgent the Chair and Vice-Chair of a Committee to exercise any powers within the purview of their Committee. This is on condition that the decision cannot wait until the next meeting, the Chair and Vice-Chair are satisfied that the decision is not against Council policy, is financially viable or defensible and is reported to the next Committee Meeting. In the event that the Chair and/or Vice-Chair are absent and cannot be contacted, then this power shall pass to the Chair and/or Vice-Chair of the Council.

Matters to be resolved only by Full Council

1. To approve the annual budget and the Precept.
2. To approve the End of Year Accounts and Annual Return.
3. Adoption of new policies.
4. To maintain Standing Orders and Financial Regulations.
5. To maintain the Council's other Policy Documents.
6. To review annually the Council's Risk Management Policy.
7. To determine the functions and constitution (terms of reference and delegated authority) of Committees and Working Parties.
8. To determine the Committee structure annually at the Annual Parish Council.
9. To appoint representatives on outside bodies annually at the Annual Parish Council and filling vacancies that occur during the year.
10. The setting up of Working Parties (including the identifying the Committee to which they should report).
11. To set the Calendar of Meetings of the Council and its Committees.
12. To fill vacancies occurring on any Committee or Full Council.
13. To approve the borrowing of money and loan applications.
14. The awarding of a Contract following the Tendering Process.
15. To consider complaints in accordance with the Complaints Procedure.
16. To appoint annually the Council's Internal Auditor and review of the effectiveness of the Internal Audit.
17. To have responsibility for the Policies and Governance Working Party.
18. To approve expenditure from the Revenue Budget and General Balances of over £5,000.
20. To deal with matters that do not fall within the province of any committee and such other matters as may be referred to the Full Council by a committee.

Finance and Staffing Committee

General

The Finance and Staffing Committee will generally meet monthly.

Committee membership shall comprise the Chair and Vice-Chair of the Parish Council and sufficient other members to bring the membership to a total of seven.

The Chair of the Parish Council shall also be the Chair of the Finance and Staffing Committee. The Vice-Chair of the Parish Council shall also be the Vice-Chair of the Finance and Staffing Committee.

Terms of Reference

To deal with all financial aspects of the Council.

To deal with all staff issues and conditions of service.

Delegated to the Finance and Staffing Committee

1. To review at each meeting the financial accounts of the Council.
2. To review quarterly the revenue budget of the Council.
3. To select such bank accounts for the Council as it considers appropriate and relevant investments.
4. To ensure that adequate insurance cover is in place for Council property and all Council activities.
5. To consider all personnel issues concerning the staff of the Council including staff salary reviews and their conditions of service.
6. To be responsible for staff appointments.
7. To be responsible for the Council's policies in relation to the involvement of community volunteers.
8. To be responsible for the Council's office equipment and accommodation needs.
9. To be responsible for reviewing the Council's risk assessments and safe systems of working.
10. To consider all new leases and the renewal of existing leases.

11. To negotiate land transaction on behalf of the Council.
12. To consider grants.
13. To consider initial complaints in accordance with the Complaints Procedure.
14. To have responsibility for the Staffing Working Party.
15. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £5,000.
16. To deal with any other matter of a financial nature.

Planning & Environment Committee

General

The Planning Committee will meet monthly. Committee membership is open to all Members of the Council. Applications that are received outside of Committee meetings will be dealt with by the Chair or if the matter is of particular importance to the Committee, an additional meeting will be called.

Terms of Reference

- To respond to Planning Authorities on behalf of the Council in respect of planning applications, planning documents and planning policy documents.
- To deal with matters relating to the environment and well-being of the residents of the parish.
- To deal with matters relating to ecology and biodiversity.
- To deal with matters relating to highways and road safety.

Delegated to Planning and Environment Committee

1. To respond on behalf of the Council on all Planning Applications, Listed Building Consents and other Planning documents.
2. To respond on behalf of the Council to Planning Appeals.
3. To respond on behalf of the Council to Tree Preservation Orders and consider matters relating to trees within the Parish.
4. To respond on behalf of the Council to planning policy documents.
5. To make representation to Planning Authorities breaches of planning control and failure to comply with conditions of planning permissions.
6. To review and respond to enforcement notices.
7. To agree representatives to speak on behalf of the Council at Planning Committee Meetings of Swindon Borough Council, Public Inquiries and similar Planning Inspection Meetings.
8. To monitor the general maintenance of all highways and pavements and roundabouts (including sponsorship arrangements) within the parish.
9. To monitor the maintenance of highway verges and green areas adjacent to highways.

10. To administer and maintain the benches and public seats owned by the Parish Council.
11. To administer and maintain the upkeep of dog bins and litter bins owned by the Parish Council.
12. To monitor the state of footpaths within the West Swindon Parish and respond to all matters regarding Rights of Way.
13. To monitor the public transport provision for the parish.
14. To monitor traffic, parking, and pedestrian issues in relation to the environment of the parish.
15. To provide floral planting for the parish.
16. To maintain the Parish Council's public notice boards.
17. To monitor the condition of the rivers and streams in the parish and liaise with appropriate Agencies responsible.
18. To monitor the policing within the parish and receive Police reports as and when available..
19. To work in conjunction with Shaw Residents Association, Westlea Residents Association, Peatmoor Copse group, Greendown Copse group, West Swindon FAB and other local organisations in the maintenance of open spaces in West Swindon.
20. To work in conjunction with community volunteers with regard to community environmental activities and projects.
21. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £5,000.
22. To deal with other matters of a planning, highways or environmental nature.

Leisure and Amenities Committee

General

The Leisure and Amenities Committee generally meets every other month. Committee membership is open to all Members of the Council.

Terms of Reference

- To manage the play areas, parks and open spaces within the West Swindon parish.
- To encourage sport and physical activity, leisure, arts and tourism within the parish.

Delegated to Committee

1. To maintain the play areas and review the annual safety inspections.
2. To maintain other areas of public open spaces in the parish that are the responsibility of the Council.
3. To administer and maintain the allotments and determine charges for use of the allotments.
4. To promote sports, physical activity, the arts and tourism within the parish.
5. To oversee any community events created by the Council.
6. To deal with publicity and communication matters.
7. To monitor the provision for young people within the parish.
8. To have responsibility for the Allotment Working Party.
9. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £5,000.
10. To deal with other matters of a leisure nature.
11. To review accessibility and availability of litter bins.

Response Working Party

General

The Response Working Party reports to the relevant Committee or Full Council depending on the nature and subject of the consultation.

The Response Working Party has been established to consider and respond to consultations from Swindon Borough Council or any other organisation.

The Response Working Party will meet as and when required.

Terms of Reference

1. To consider consultations received by the Full Council or any of its committees and submit recommendations thereon to the relevant Committee or Full Council.

Allotment Working Party

General

The Allotment Working Party reports to the Leisure & Amenities Committee.

The Allotment Working Party has been established to consider and make recommendations on all matters relating to the allotments.

The Allotment Working Party will include 2 Allotment Holders that will be appointed at the Annual Plot Holders Meeting in September.

Terms of Reference

1. To advise on any necessary changes required to the allotment regulations and tenancy agreement.
2. To offer suggestions for improvements to the running of the allotment site.
3. To advise on any necessary actions for non-compliance with tenancy agreements.
4. To advise of any other issues relating to the allotments.

Staffing Working Party

General

The Staffing Working Party reports to the Finance & Staffing Committee.

The Staffing Working Party has been established to consider and make recommendations on matters relating to the staffing structure, the recruitment process and relevant terms and conditions.

The Staffing Working Party will include the Chair and Vice-Chair of the Council and 2 members of the Finance and Staffing Committee.

Terms of Reference

1. To undertake a review of staffing structures and to make recommendations to the Finance & Staffing Committee.
2. To draw up job descriptions for any new staff posts.
3. To review terms and conditions for staff and make recommendations to the Finance and Staffing Committee.
4. To review pensions arrangements for staff and make recommendations to the Finance & Staffing Committee.
5. To draw up an appointment processes for new staff posts.
6. To review relevant policies for staff e.g. lone working, grievance policy, disciplinary procedure and conditions of employment.

Policies and Governance Working Party

General

The Policies and Governance Working Party reports to the Full Council. The Working Party has been established to consider and make recommendations on matters relating to the council policies.

The Policies and Governance Working Party will include 6 Councillors.

Terms of Reference

1. To identify policies necessary for the governance and operational requirements of the West Swindon Parish Council.
2. To review policies and procedures drafted by the Parish Manager/Clerk and make recommendations to the Full Council.

Fly tipping, Graffiti & Litter Working Party

General

The Flytipping & Litter Working Party reports to the Planning and Environment Committee.

The Flytipping & Litter Working Party has been established to consider and make recommendations on matters relating to the litter collection within the Streetsmart contract, flytipping, community education and volunteering, options for enforcement action and awareness raising/campaigns.

The Flytipping & Litter Working Party will include the Chair and Vice-Chair of the Planning and Environment and 2 members of the Council. Representation from community groups, Swindon Borough Council, and Streetsmart will be initiated as required.

The Flytipping & Litter Working Party will link with the Services Working Party across matters relating to the Streetsmart contract.

Terms of Reference

1. To undertake a review of the service response to flytipping and litter collection schedules and street sweeping routines undertaken by Streetsmart for the West Swindon Parish.
2. To research good practice and successful campaigns relating to awareness raising and behaviour change.
3. To identify and review different models and structures for delivering street cleaning services (linking with Services Working Party).
4. To review volunteering and community action with recommendations about how to support and grow involvement.
5. To consider options for enforcement action such as penalty notices.
6. To identify and review options for signage, and, notices.
7. To consider options for business involvement, corporate (community) responsibility, sponsorship and employee volunteering.

Assets Working Party

General

The Assets Working Party reports to Full Council or the relevant Committee determined by the assets under consideration. The Working Party has been established to consider and make recommendations on matters relating to the detailed lease agreements.

The Assets Working Party will include 6 Councillors.

Terms of Reference

1. To assess the viability and risks associated with individual assets.
2. To review the terms proposed for the transfer of assets to West Swindon Parish Council.
3. To review the wording and content of draft lease agreements and related demises.
4. To review policies and procedures required for asset transfer.

Backlands, Communal Areas and Former Play Areas Working Party

General

A number of issues are prevalent in West Swindon that relate to backland sites, small patches of open space and areas that were once small play areas. Often there is not a clear line of responsibility and the land may be wrongly designated on the land ownership maps. It is likely that this is a long term project.

This Working Party brings the relevant parties together such as Swindon Borough Council Housing & Highways to review responsibilities and the purpose of these areas. Then grounds maintenance responsibilities now and for the future could be addressed (including a strategy for addressing current deterioration/abandonment).

The Working Party reports to Full Council or the relevant Committee determined by the matters under consideration.

The Working Party will include 6 Councillors.

Terms of Reference

1. To review that land ownership and designation is correct (this would start to improve the Parish's data knowledge about the classification of land across the Parish).
2. To highlight issues that are arising in communal areas for instance, parking bays, such as damaged walls, overgrown shrubbery, flytipping and littering.
3. To consider potential for improvement projects and small scale works in these areas.
4. To look at how to encourage joint working with residents to take responsibility for communal areas.