



Lancing Parish Council

Terms of Reference & Schemes of Delegation

Council, Committees, Sub-Committees and Working Groups

Document Control		
Version Number	V1	
Adopted on	5/4/2017	Item 117.7
Review Date	2018	

The Parish Hall
South Street, Lancing
West Sussex, BN15 8AJ

www.lancingparishcouncil.gov.uk
admin@lancingparishcouncil.gov.uk
01903 753355

Please note that alternative formats of this document may be available upon request.

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 Lancing 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.
- Committees should, where possible, have representatives from all four wards.
- The calendar for Committee Meetings will be agreed at the Annual Meeting of the Council in May.
- Committee Meetings will be held on Wednesdays throughout the year at 7:00pm 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.

[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.

Purpose

To deal with all matters concerning finance, administration, assets (including Parish Hall) and Council employees.

TERMS OF REFERENCE

To manage the Council budget and its assets. This includes:

- Budget & finance, including planning/annual budgets/payment of accounts/financial audits/setting of fees & charges
- Premises & Capital Assets, including Parish hall and its operation
- Capital projects and spend
- Licences, leases and agreements (other than Allotments and Beach Huts)
- Personnel & human resources issues
- Monitoring and overseeing Corporate Governance arrangements
- Grant Aid requests

Committee

Seven Parish Councillors. The Chair and Vice-Chair of the Council shall be ex-officio members with full voting rights. 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 in the Council Chamber, Parish Hall. Extraordinary meetings may be arranged if deemed necessary.

SCHEME OF DELEGATION

- i. To **agree** effective procedures for monitoring the budget;
- ii. To **authorise** expenditure within approved budgets;
- iii. To **approve** any virement and supplementary budget requests within the Council's agreed overall budget;
- iv. To **approve** the level of delegation to the Clerk for the day-to-day financial management of the Council and its services;
- v. To **approve** changes to the Council's Fixed Asset Register.
- vi. To **approve** policies, guidelines and strategies on human resources and any industrial relations matters, including (but not limited to) roles mandated with respect to the Council's Disciplinary and Grievance Policy and the Appraisal of the Clerk and ensure the Council properly undertakes its responsibilities for its staff and others relating to welfare, health and safety, working time directive and pensions provision.
- vii. To **approve** a health and safety policy, with respect to premises and assets, that complies with legislation and to ensure that appropriate checks and assessments are carried out and prioritised for necessary action.
- viii. To **approve** capital expenditure and planned and preventative maintenance expenditure with respect to premises and assets.
- ix. To **act** on behalf of the Council in relation to any planning applications it proposes to make.
- x. To **approve** the actions needed to address any issues identified through external review and to monitor and evaluate regularly the implementation of any plan agreed;

- xi. To **review** all licences, leases and agreements (other than Allotments and Beach Huts) and make recommendations in respect of any amendments to full Council;
- xii. To consider and ultimately **approve** requests from organisations for financial donations in accordance with the Council's Grant Aid Policy;
- xiii. To **approve** programmed service expenditure within budgets agreed by full Council;
- xiv. To **approve** remedial action where projected out-turn variation on the whole committee budget exceeds 5%;
- xv. To **approve** the tendering and selection of contracts;
- xvi. To **approve** the selection of contractors.

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

The Committee shall **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.

Amenities & Environment Committee

Purpose

To deal with all matters concerning allotments, beaches and foreshore, car parks and open spaces.

TERMS OF REFERENCE

The maintenance, management and improvements of outdoor facilities. This includes:

- Allotment and Beach Hut Sites
- Beach Green and Widewater Car Parks
- Environmental Issues
- Headborough and Wenceling Pocket Gardens
- Playgrounds and Play Equipment
- Recreation Grounds and Booking of facilities (Sports Pitches and Pavilions)
- Seats and litter bins
- Widewater Local Nature Reserve
- Blue Plaques
- Christmas Lighting Display
- Events

To submit proposals for the following financial year to the Council not later than the end of October each year including any proposals for revising the forecast (*Financial Regulation 3.1*).

Committee

Seven Parish Councillors. The Chair and Vice-Chair of the Council shall be ex-officio members with full voting rights. 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 in the Council Chamber, Parish Hall. Extraordinary meetings may be arranged if deemed necessary.

SCHEME OF DELEGATION

- i. To **approve** programmed service expenditure within budgets agreed by full Council and to submit a report to the Finance and General Purposes Committee where projected out-turn variation on the whole committee budget exceeds 4.99%;
- ii. To **authorise** expenditure within approved budgets;
- iii. To **approve** the tendering and selection of contracts;
- iv. To **approve** the selection of contractors;
- v. To **approve** Allotment and Beach Hut rules and procedures, to review lease agreements and make recommendations in respect of any amendments to full Council and to monitor enforcement action;
- vi. To **oversee** the maintenance of Beach Green and Widewater car parks.
- vii. To **oversee** any environmental issues affecting Lancing.
- viii. To **approve** any maintenance schemes for the pocket gardens;
- ix. To **approve** any operational and maintenance requirements of play areas and recreation grounds within the Council's control;
- x. To **determine** the allocation of sports pitches and pavilions;
- xi. To **oversee** all seats and litter bins within the Council's control, including the Memorial Seat scheme.
- xii. To **oversee** the conservation of Widewater Local Nature Reserve.
- xiii. To **determine** the installation of new blue plaques that will commemorate prominent persons who lived and/or worked in the Village and to make appropriate recommendations to the Council that funding is allocated for such plaques;
- xiv. To **oversee** an attractive Christmas lighting display that enhances the Village for the Christmas period.
- xv. To **approve** any Council run events, which enhances the Village and benefits the Community;
- xvi. To **approve** any occasional event hire by third parties of public open spaces managed by the Council, to be administered by the Clerk and to **review** any request falling outside the procedure.

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

The Committee shall **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.

The Planning Committee

Purpose

To consider all planning applications for Lancing and make recommendations to Adur District Council.

TERMS OF REFERENCE

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

- Planning applications
- Highways matters & issues
- Public transport

To ensure that planning applications for developments within the parish boundary are sent from Adur 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

Seven Parish Councillors. The Chair and Vice-Chair of the Council shall be ex-officio members with full voting rights. 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 in the Council Chamber, Parish Hall. Extraordinary meetings may be arranged if deemed necessary.

SCHEME OF DELEGATION

- i. 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 Adur District Council via its *Planning Applications and Planning Permission* process online.
- ii. 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 shall **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.

Human Resources Sub-Committee

Purpose

To oversee matters relating to Council employees in line with relevant legislation and the Council's employment policies on behalf of the Finance and General Purposes Committee.

TERMS OF REFERENCE

- To deal with matters which may arise and which are likely to directly or indirectly affect the terms and conditions of Council employees.

Committee

Four Parish Councillors. The Chair and Vice-Chair of the Council shall be ex-officio members with full voting rights. 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 an ad hoc basis in the Council Chamber, Parish Hall.

In view of the confidential nature of the business to be transacted in this Sub-Committee, it is deemed that the press and public are excluded. The minutes of this Sub-Committee will not be available to the public unless otherwise directed by a properly authorised body. Matters arising from the meeting or documentation cannot be disclosed in open session and will need to be dealt with in closed session (*Standing Orders 12 and 20*).

SCHEME OF DELEGATION

- i. The HR Sub-Committee has no delegated powers. The Committee makes **recommendations** on matters relating to employees of the Council to the Finance and General Purposes Committee for onward approval to full Council.
- ii. With the agreement of the Chair of the Sub-Committee, matters may be submitted to the Finance and General Purposes Committee or full Council directly.

Value for Money Sub-Committee

Purpose

To review the Council's income generating streams and make recommendations to Council.

TERMS OF REFERENCE

- To review the Council's income generating streams and make recommendations to Council where increases are considered appropriate. This includes the hiring of Parish Halls, Beach Green and football/recreation grounds in addition to allotment and beach hut ground rentals.
- To determine whether the community should, through the level of precept, continue to financially support the existing Parish Hall operations, and if not, to consider alternative options.
- To determine what other measures, if any, could be introduced to help ease the Council's financial position.

Working Group

Four Parish Councillors. The Chair and Vice-Chair of the Council shall be ex-officio members with full voting rights. 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 an ad hoc basis in the Parish Hall.

SCHEME OF DELEGATION

- i. The Sub-Committee has no delegated powers. The Sub-Committee makes **recommendations** on matters relating to the Council's income generating streams to the Finance and General Purposes Committee for onward approval to full Council. Recommendations may be presented in closed session if considered necessary (*Standing Orders 12 and 20*).

The Clerk¹

General

To **act** as the Proper Officer of the Council in carrying out all of its functions and to **issue all notifications required by law**.

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