

**COMMITTEE TERMS OF REFERENCE**

**AND**

**SCHEME OF DELEGATION**

**Relating to the Proceedings and Business**

**FOR THE**

**PARISH COUNCIL  
OF**

**HORDEN**

**MAY 2021**

## CONTENTS

A. CLERK TO THE COUNCIL .....	PAGE 3
B. DEPUTY CLERK/RFO.....	PAGE 5
C. PARKS AND CEMETERY COMMITTEE .....	PAGE 6
D. PARKS AND CEMETERY DEVELOPMENT COMMITTEE.....	PAGE 7
E. FINANCE AND GENERAL PURPOSES COMMITTEE.....	PAGE 8
F. HORDEN RECREATION GROUND COMMITTEE.....	PAGE 9
G. PERSONNEL COMMITTEE.....	PAGE 10
H. APPEALS PANEL.....	PAGE 11
I. RISK MANAGEMENT COMMITTEE.....	PAGE 12
J. SOCIAL WELFARE CENTRE COMMITTEE.....	PAGE 13
K. ASSET MANAGEMENT COMMITTEE.....	PAGE 14

## A. CLERK TO THE COUNCIL

1. The Clerk to the Council is designated and authorised to act as **Proper Officer** for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.
2. In addition to any delegations arising from Standing Order 15 (2019), Financial Regulations and the Job Description, the Clerk to the Council will be authorised to:
  - i. Sign on behalf of the Council any document necessary to give effect to any decision of the Council.
  - ii. Institute and appear in any legal proceedings authorised by the Council.
  - iii. Appear or make representation to any tribunal or public inquiry into any matter which the Council has an interest.
  - iv. Alter the date or time of a committee meeting, but before doing so, shall consult the Chairman of the committee concerned about the need for the change and about alternative dates and times.
  - v. Manage the Council's allotments, or delegate management to an allotments association.
  - vi. Authorise and sign Grants of Exclusive Rights.
  - vii. Authorise the installation of publicly requested benches, trees or other memorials.
  - viii. Authorise the use of playing fields and open spaces.
  - ix. Allocate sports pitches in line with council policy.
  - x. Prepare statements for the press where the known policy of the council exists.
  - xi. Incur expenditure up to a maximum of £4,000.
  - xii. Incur expenditure on behalf of the Council which is necessary to procure services, carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £5000. The Clerk shall report the action to the council as soon as practicable thereafter.
  - xiii. Authorise the payment of staff wages in line with council policy.
  - xiv. Take proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.

- xv. Carry out duties in accordance with the Financial Regulations of Horden Parish Council and the Audit Commission's approved Audit and Accounting regulations.
- xvi. Negotiate and authorise the rents and fees for persons using the facilities provided by the council, other than standard charges agreed by the council, including free use of facilities, where required.
- xvii. Manage discipline and grievance matters up to and including issuing final written warnings.
- xviii. Approve and authorise reasonable overtime as required.
- xix. Approve and authorise annual leave entitlement and other absence as appropriate.
- xx. Recruit temporary staff when required.
- xxi. Act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council and the relevant committee or sub-committee. The Chairman of the Council or Chairman of the appropriate Committee will be informed as soon as practically possible of any action taken by the Clerk.
- xxii. Act as RFO in the absence of the Deputy Clerk.

## **B. DEPUTY CLERK**

1. The Deputy Clerk is designated and authorised to act as the Responsible Financial Officer for the purposes of any statute requiring the designation of a Responsible Financial Officer. Local Government Act 1972 s151.
2. In addition to any delegations arising from Standing Orders 17 and 18 (2019)/Financial Regulations/Job Description and any requirements arising from the Governance and Accountability framework, the Deputy Clerk to the Council will be authorised to:
  - i. Prepare VAT reclaim on behalf of the council.
  - ii. Issue invoices on behalf of the council.
  - iii. Carry out duties in accordance with the Financial Regulations of Horden Parish Council and the Audit Commission's approved Audit and Accounting regulations.
  - iv. Act as Proper Officer in the absence of the Clerk.

## **C. PARKS AND CEMETERY COMMITTEE**

### **Number of Councillors**

The Committee shall consist of all members of Full Council.

### **Officers:**

Clerk to the Council, Deputy Clerk/RFO, Parks and Cemetery Manager.

### **Terms of Reference**

The Committee will consider any matter relating to;

- I. The strategic management of all of the council's parks and open spaces and the maintenance and enhancement of all its land holdings.
- II. Ensuring the quality achieved in the parks and cemetery is in accordance with nationally recognised standards where they exist.
- III. The provision and maintenance of street furniture.
- IV. The provision and maintenance of the parish cemetery.
- V. The maintenance of the parish clock and war memorial.
- VI. The strategic management of the council's allotments and liaison with the allotments association.
- VII. The management and maintenance of the council's car parks.
- VIII. Public footpath issues.
- IX. Referring requests for expenditure above budget allocation to the Finance and General Purposes Committee for consideration.

### **Delegation(s)**

- i. Make strategic and operational decisions relating to the service and progress the development of agreed projects.
- ii. To incur expenditure in accordance with Financial Regulations to progress projects and works within agreed budget.

### **Summary**

The Committee has strategic and operational decision making responsibility with spending authority limited to within agreed budget.

## **D. PARKS AND CEMETERY DEVELOPMENT COMMITTEE**

### **Number of Councillors**

The total number of councillors on the Committee shall be set at 8.

### **Officers:**

Clerk to the Council, Deputy Clerk/RFO, Parks and Cemetery Manager.

### **Terms of Reference**

The Committee will:

- i. Oversee the development and progress of specific parks and cemetery projects and works agreed by the Parks and Cemetery Committee.
- ii. Report to the Parks and Cemetery Committee on progress made on projects undertaken.
- iii. Make recommendations to the Parks and Cemetery Committee regarding expenditure on projects.

### **Delegation(s).**

- I. Make decisions relating to the progress and development of agreed delegated projects.
- II. To incur expenditure in accordance with Financial Regulations to progress projects and works within agreed budget

### **Summary**

The Committee has operational decision making responsibility to progress agreed delegated projects with spending authority limited to within agreed budget.

Strategic decision making responsibility rests with the Parks and Cemetery Committee.

## **E. FINANCE AND GENERAL PURPOSES COMMITTEE**

### **Number of Councillors**

The Committee shall consist of all members of Full Council.

### **Officers:**

Clerk to the Council, Deputy Clerk/RFO.

### **Terms of Reference**

The Committee will consider any matter relating to;

- I. The undertaking of all Parish financial matters (other than those precluded by statute) and any other miscellaneous matters.
- II. The efficient and effective administration of the Parish Council's affairs with specific attention to resource allocation and financial well-being.
- III. The provision of the Parish Council's services at the minimum costs commensurate with effective fulfilment of the Council's operational role and policy aims.
- IV. Seek to ensure the most profitable and efficient investment management policies.
- V. Recognise the need for good business management in operating its services and will, as appropriate, undertake performance and systems reviews to ensure an economic, effective and efficient Parish Council, including where beneficial, opportunities for the introduction of new technology within the Council's office systems.
- VI. To consider all matters relating to planning applications, Listed Building consents, buildings of special interest, historic buildings and buildings in the conservation area, Local Development Framework, Street naming and numbering.
- VII. To consider donation request applications ensuring expenditure incurred is in the exercise of statutory powers and section 137.

### **Delegation(s)**

- I. Make strategic financial and resource decisions relating to all service areas and enable the development and progress of agreed projects.
- II. Sanction spending within overall Council budget including virement and use of reserves.

### **Summary**

The Committee has strategic decision making responsibility with ability to sanction spending within the overall council budget including virement and use of reserves.



## **F. HORDEN RECREATION GROUND COMMITTEE**

### **Number of Councillors**

As the sole trustee; every member of the parish council will automatically become part of the trustee for the ground as a collective of 15 members. There are no individual trustees.

### **Officers:**

Clerk to the Council, Deputy Clerk/RFO, Parks and Cemetery Manager.

### **Terms of Reference**

The Horden Recreation Ground Committee will;

- I. Act in the parish council's capacity as the sole trustee of the registered charity Horden Recreation Ground (charity number 520826).
- II. Manage the provision, maintenance and development of the charity, in accordance with the approved scheme set out by the Charity Commission dated 5<sup>th</sup> November 1998.
- III. Be responsible for the strategic management of the Charity's park, open spaces and other assets.
- IV. Be responsible for the maintenance and enhancement of all assets.
- V. Ensure high standards of maintenance and enhancement are achieved in accordance with nationally recognised standards where they exist.

### **Delegation(s)**

- i. Make strategic and operational decisions relating to the service and progress the development of agreed projects.
- ii. To incur expenditure in accordance with Financial Regulations to progress projects and works within agreed budget.

### **Summary**

The Committee has strategic and operational decision making responsibility but with spending authority limited to within agreed budget.

## **G. PERSONNEL COMMITTEE**

### **Number of Councillors**

The total number of councillors on the Committee shall be set at 8.

### **Officers:**

Clerk to the Council, Deputy Clerk/RFO (where appropriate).

### **Terms of Reference**

The Committee will:

- I. Review staffing structure and employment levels and make recommendations to the Council to efficiently discharge the work required of the Council and to review workloads periodically.
- II. Review terms and conditions of employment.
- III. Act as a recruitment, grievance, disciplinary and attendance/ill health panels.
- IV. Review health and safety at work for all Council employees and to put into place effective measures to safeguard their health and safety at work.
- V. Ensure the council complies with all legislative requirements relating to the employment of staff.
- VI. Undertake reviews of working practices and procedures of the Council as a whole when so requested and to make recommendations to Council including relevant human resources policies where applicable.
- VII. Recognise the need for, and benefits of, Member and staff training and positively initiate and react to appropriate opportunities within the context of overall budget resources.
- VIII. Oversee the development and implementation of training plans for both Members and employees.
- IX. Make recommendations to the Finance and General Purposes Committee regarding expenditure on projects where appropriate.
- X. Refer requests for expenditure above budget allocation to the Finance and General Purposes Committee for consideration.

### **Delegation(s)**

- i. To incur expenditure in accordance with Financial Regulations and agreed budget in order to progress agreed projects and works.
- ii. Make decisions in relation to termination of employment on matters relating to disciplinary and attendance/ill health procedures.\*

### **Summary**

The Committee, with the exception of dismissal decisions, has mainly advisory status with responsibility for making recommendations to Full Council; spending authority is limited to within agreed budget for specific previously agreed projects.

\*As amended by Full Council 5<sup>th</sup> September 2019 minute 19/20/063

## **H. APPEALS PANEL**

### **Number of Councillors**

The total number of councillors on the panel shall be set at 4. These councillors will not be members of the Personnel Committee at the same time.

### **Officers:**

Clerk to the Council, Deputy Clerk/RFO (where appropriate).

### **Terms of Reference**

The panel will consider any appeal relating to employee grievance or disciplinary outcomes.

### **Delegation(s)**

- i. To uphold or dismiss any appeals referred to the panel.
- ii. Convene any disciplinary appeal as a re-hearing of facts if the grounds for appeal make it appropriate to do so.
- iii. Vary any disciplinary sanction however any increase in disciplinary penalty is precluded from consideration.
- iv. Vary any grievance outcome however any variance that would be more detrimental to the appellant is precluded from consideration.
- v. Make recommendations to officers or the Personnel Committee if appropriate.

### **Summary**

The panel has decision making responsibility with any decision made being final and concludes the Council's internal disciplinary and grievance procedures.

## **I. RISK MANAGEMENT COMMITTEE**

### **Number of Councillors**

The total number of Councillors on the Committee shall be set at five.

### **Officers:**

Deputy Clerk/RFO.

### **Terms of Reference**

The Committee will:

- i. Ensure the risk management process contributes to the development of a more robust internal control framework.
- ii. Raise awareness of the scope of risk management and integrate risk management into the culture of the council.
- iii. Ensure that risks are monitored and managed in accordance with the council's Risk Management Policy and Strategy in support of the council's Annual Governance and Accountability Return.
- iv. Identify risks linked to the Council's objectives, priorities and service delivery.
- v. Determine the overall impact and likelihood of the council's strategic and financial risks for quarterly review by the Full Council.
- vi. Identify risk owners, control improvements and target dates.
- vii. Review Officer's Operational Risk Registers to determine whether risks are being actively managed.
- viii. Make recommendations to Full Council in relation to work undertaken.
- ix. Refer expenditure requests to the Finance and General Purposes Committee for consideration.

### **Delegation(s)**

There are no delegations.

### **Summary**

The Committee has mainly advisory status with responsibility for making recommendations to Full Council and does not have any spending authority unless delegated so on an exception basis.

## **J. SOCIAL WELFARE CENTRE COMMITTEE**

### **Number of Councillors**

The total number of Councillors on the Committee shall be set at 7.

### **Officers:**

Clerk to the Council or Deputy Clerk/RFO, Social Welfare Centre Operations and Events Manager.

### **Terms of Reference**

The Committee will:

- i. Review the strategic management of the Social Welfare Centre seeking to maximise the utilisation of the facilities and minimise associated costs.
- ii. Receive and act on, if appropriate, internal auditors recommendations/action plans.
- iii. Receive and act on, if appropriate, user feedback and suggestions.
- iv. Review pricing strategies every six months.
- v. Consider reports from the Social Welfare Centre Manager and other officers as appropriate.
- vi. Consider reports incorporating among other issues, room hire and utilisation, financial issues, percentage of actual bookings in comparison to the booking capacity.
- vii. Refer requests for expenditure above budget allocation to the Finance and General Purposes Committee for consideration.
- viii. Refer recommendations to Full Council.

### **Delegation(s)**

- i. To make operational decisions.
- ii. To incur expenditure in accordance with Financial Regulations and agreed budget in order to progress projects and works.

### **Summary**

The Committee has operational decision making responsibility but with spending authority limited to within agreed budget.

Strategic decision making responsibility rests with Full Council.

## **K. ASSET MANAGEMENT COMMITTEE**

### **Number of Councillors**

The total number of Councillors on the Committee shall be set at 8.

### **Officers:**

Clerk to the Council, Deputy Clerk/RFO.  
Parks and Cemetery Manager, Social Welfare Centre Operations and Events Manager  
(where appropriate).

### **Terms of Reference**

The Committee will:

- i. Consider the short, medium and long term costs associated with the asset base.
- ii. Consider implications arising from property surveys.
- iii. Consider asset usage.
- iv. Consider priorities.
- v. Make recommendations to Full Council.

### **Delegation(s)**

No delegations granted.

### **Summary**

The Committee has mainly advisory status with responsibility for making recommendations to Full Council and does not have any spending authority unless delegated so on an exception basis.

## **L. EVENT MANAGEMENT COMMITTEE**

### **Number of Councillors**

The total number of Councillors on the Committee shall be set at 6.

### **Officers:**

Clerk to the Council or Deputy Clerk/RFO.

Social Welfare Centre Operations and Events Manager (Social Welfare Centre events).

Parks and Cemetery Manager (park or cemetery events).

### **Terms of Reference**

The Committee will:

- i. Plan and make arrangements for the provision of community events.
- ii. Review the annual plan of events arranged by both the Parks and Cemetery Manager and Social Welfare Centre Events and Operations Manager.
- iii. Ensure procedures and processes are followed by Officers, including but not limited to liaising with the Safety Advisory Group, following Council Policies and Procedures and Health and Safety protocols and procedures where applicable.
- iv. Request an annual budget allocation from Full Council.
- v. Review outcomes and evaluate the success of events.

### **Delegation(s)**

- iii. To make operational and strategic decisions.
- iv. To incur expenditure in accordance with Financial Regulations and agreed budget in order to progress projects and works.

### **Summary**

The Committee has operational and strategic decision making responsibility but with spending authority limited to within agreed budget.