



Terms of Reference & Delegation Scheme

Approval: tbc 19.05.25

DRAFT

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:

1. The Terms of Reference for each Committee
2. The Functions delegated to Committees
3. 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

Membership: All Council members

Quorate: One third of Council members

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 as these arise 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 of the Council.
18. To approve expenditure from the Revenue Budget and General Balances of over £10,000.
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

Membership: Membership by appointment at the Annual Parish Council meeting
Quorate: One third of appointed Committee members

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 as determined by the Annual Parish Council meeting and Full Council thereafter.

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 support the Clerk and Responsible Financial Officer (RFO) with resource allocation and service planning.

To support the Clerk and senior staff implement Council policy in dealing with all staff issues and conditions of service.

To implement the Formal Complaints Policy.

Delegated to the Finance and Staffing Committee

1. To review at each meeting the financial payments and statements of bank 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 assets, property and all Council activities.
5. To consider all personnel issues brought to the attention of the Committee concerning the staff of the Council including staff salary reviews and their conditions of service.
6. To confirm the budget and process for staff appointments and to lead in the appointment of the Clerk and Deputy Clerk/RFO.
7. To deal with all staffing matters not the responsibility of officers, including the appointment of the Clerk and the management and approval of TUPE.

transfers and other issues arising from any transfer or devolution of premises and services from Swindon Borough Council

8. To be responsible for the Council's policies in relation to the involvement of community volunteers.
9. To be responsible for reviewing the Council's office equipment, service delivery resource planning and accommodation needs.
10. To be responsible for reviewing the Council's risk assessments and safe systems of working.
11. To consider all new leases and the renewal of existing leases.
12. To negotiate land transaction on behalf of the Council.
13. To consider grant awarding policies and applications as proposed by the Clerk.
14. To consider initial complaints in accordance with the Complaints Procedure.
15. To have responsibility for policy, assets, property and financial related working parties e.g. Services Working Party, Staffing Working Party and Assets/Income Generation Working Party.
16. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
17. To deal with any other matter of a financial nature.

NOTE For the avoidance of doubt:-

- a) The Clerk will be appointed by the Council.
- b) The Clerk and Senior Officers will appoint and manage the employment matters relating to more junior staff.
- c) The Clerk and Senior Officers will have responsibility for the appointment of replacement, casual and temporary staff within the approved recruitment process and budget set by this Committee and will recommend the creation of new roles to this Committee for approval by Full Council.
- d) The Clerk and Senior Officers will determine the detail of job descriptions.
- e) The Clerk and Senior Officers will have responsibility for allocating staff to relevant duties to ensure that Parish Council services are delivered economically and efficiently.
- f) The Clerk and Senior Officers will make recommendations to the Staffing Committee for re-grading or awards and will exercise disciplinary action in accordance with the Council's relevant policies and procedures.

Planning & Environment Committee

Membership: Membership by appointment at the Annual Parish Council meeting
Quorate: One third of appointed Committee members

General

The Planning, Environment and Leisure Committee will meet monthly. Planning Applications that are received outside of Committee meetings will be dealt with by the Parish Office and circulated for comment by email, or, if the matter is of particular importance to the Committee, an additional meeting will be called.

Terms of Reference

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

Planning & Environmental matters

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 administer and maintain the public bins, benches and public seats owned

by the Parish Council.

10. To monitor and report the state of footpaths within the West Swindon Parish and respond to all matters regarding Rights of Way and liaise with appropriate Agencies responsible..
11. To monitor traffic, parking, and pedestrian issues in relation to the environment of the parish and liaise with appropriate Agencies responsible..
12. To provide floral planting for the parish and participate in relevant tree planting.
13. To monitor the condition of the rivers and streams in the parish and liaise with appropriate Agencies responsible.
14. To liaise with volunteer groups and other local organisations in the volunteer contribution to open spaces in West Swindon.
15. To work in conjunction with community volunteers with regard to community environmental activities and projects.
16. To champion Climate Change and monitor the Parish Council's progress towards net zero.
17. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
18. To deal with other matters of a planning, highways or environmental nature.
19. To have responsibility for any environmental Working Party.

Community & Leisure Committee

Membership: Membership by appointment at the Annual Parish Council meeting

Quorate: One third of appointed Committee members

General

The Community and Leisure Committee will meet monthly.

Terms of Reference

- To support the creation of community activities and events
- To deal with matters relating to community grants and projects
- To deal with matters communications and social media

Leisure related matters:

1. To manage the maintenance and improvement of play areas, parks and open spaces within the West Swindon parish.
2. To support the commissioning of play area refurbishment.
3. To maintain an overview of amenity value of other areas of public open spaces in the parish that are the responsibility of the Parish Council.
4. To administer and maintain the allotments and determine charges for use of the allotments.
5. To promote sports, physical activity and the arts within the Parish.
6. To oversee any community events created by the Council.
7. To deal with publicity and communication matters.
8. To monitor the provision for young people within the parish.
9. To have responsibility for the Play Working Party, and any play related sub committees.
10. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
11. To deal with other matters of a leisure nature.

WORKING PARTIES & TASK GROUPS

Working Parties are informal groups that meet to make recommendations to formal Committees

Services Working Party

General

The Services Working Party has been established to consider and respond to service delivery issues raised by the Clerk and/or Operations Supervisor.

The Services Working Party reports to the relevant Committee or Full Council depending on the nature and subject of the service delivery issue.

The Services Working Party meeting frequency depends on the demands and issues arising for the Parish Council's service delivery needs.

Terms of Reference

1. To provide a sounding board for the Clerk on service delivery issues such as quotes, asset acquisition, and future service planning.
2. To give feedback to the relevant Committee and/or Full Council on service delivery proposals.
3. To review the range and suitability of machinery, tools and resources for the Parish Council team.
4. To liaise with other organisations to inform proposals to the relevant Committee and/or Full Council.
5. To support a review of accommodation and depot needs.
6. To offer suggestions for improvements to the running of the allotment site and seek out options to grow the number of allotment plots available.

Staffing Working Party

General

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

The Staffing Working Party has been established to work with the Clerk in the development and consideration of matters relating to the staffing structure, the recruitment process and relevant terms and conditions.

The Staffing Working Party will include the Chair and up to 4 other members of the Finance and Staffing Committee.

The Staffing Party meets as and when required, particularly where there may be more detail or information to consider in order for the Committee to make an informed decision.

Terms of Reference

1. To undertake a review of staffing structures and to make recommendations to the Finance & Staffing Committee.
2. To review job descriptions for any new staff posts as requested by the Clerk.
3. To review pensions arrangements for staff and make recommendations to the Finance & Staffing Committee.
4. To draw up an appointment processes for new staff posts as requested by the Clerk.
5. To identify policies necessary for the governance and operational requirements of the West Swindon Parish Council.
6. To review policies and procedures drafted by the Parish Manager/Clerk and make recommendations to the Full Council.
7. To respond as initiated by the Clerk in relation to the Council's Policies and Procedures

Assets/Income Generation Working Party

General

The Income Generation Working Party reports to the Finance & Staffing Committee. The Working Party has been established to consider and make recommendations on matters relating to the opportunities for income generation that will benefit West Swindon residents.

The Working Party will include up to 6 Councillors including 4 from the Finance & Staffing Committee.

Terms of Reference

1. To assess the viability and risks associated with income generation and the acquisition of 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 any related proposals.
5. To identify any relevant aims and objectives
6. To agree and recommend a Company Structure, Directors, Capital, Location, Resources/Infrastructure (when relevant)

7. To advise the Finance and Staffing Committee on financial and reputational risks including public liability.
8. To sample profit and loss, and, review options in order to diminish any significant financial obligations of the Parish Council.
9. To identify marketing and promotion requirements.

Backlands. Community Growing/Allotments 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 so this Working Party may need to bring the relevant parties together such as Swindon Borough Council Housing & Highways to review responsibilities and the purpose of these areas.

The Working Party reports to the Planning & Environment Committee to determine the matters under consideration. The Working Party will include 4 Councillors.

Terms of Reference

1. To highlight issues that are arising in communal areas for instance, parking bays, such as damaged walls, overgrown shrubbery, flytipping and littering.
2. To consider potential for improvement projects and small scale works in these areas such as creating green environments, community orchards, tree planting.
3. To consider any prevalent issues arising at the allotment site.
4. To consider options to expand local community growing and food distribution

Play Working Party

General

The Parish Council has 21 play sites and over 200 pieces of equipment.

The Working Party reports to the Community & Leisure Committee to determine the matters under consideration. The Working Party will include 4 Councillors.

Terms of Reference

1. To review the equipment provision across the Parish and assess lifespans for each play area in order to inform future budgeting
2. To support the design of consultation relating to issues arising for play areas or a specific site
3. To review play provision in relation to access to positive activities for young people
4. To liaise with local interest groups or organisations on related matters

DRAFT