

Adopted:28.01.04 Last review January 2013; May 2014; May 2015– No change recommended

## ST LEONARDS & ST IVES PARISH COUNCIL TERMS OF REFERENCE AND DELEGATION SCHEME

In accordance with Section 101 of the Local Government Act 1972, St Leonards & St Ives Parish Council delegates to its Committees and the Clerk the various matters included in this document, subject to the following:-

- a. **The Committee concerned or the Clerk may decide not to exercise the delegated powers and may refer any matter to the Council for decision.**
- b. **Budgetary provision must be available for any expenditure proposed.**
- c. **Any decision taken must not be contrary to Council policy.**

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### COMMITTEE STRUCTURE ST LEONARDS & ST IVES PARISH COUNCIL

#### **Planning Committee**

Minimum 6 members plus  
2 ex-officio members  
Quorum: 3

#### **Amenities Committee**

Minimum 6 members plus  
2 ex-officio members  
Quorum: 4

#### **Finance Committee**

Minimum 6 members plus  
2 ex-officio members  
Quorum: 4

Chairman and Vice-Chairman of the Council  
ex-officio members of all committees with voting rights

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### **PLANNING COMMITTEE**

#### TERMS OF REFERENCE

Planning recommendations to East Dorset District Council/ Dorset County Council

Planning appeals

The recommending to the East Dorset District Council of the Issue of Enforcement Notices

To monitor Tree Preservation Orders

Other strategic planning matters

To encourage conservation and environment protection in the parish

#### DELEGATED TO PLANNING COMMITTEE

1. To comment on all planning and allied applications including those related to listed buildings, advertisements and trees.
2. To respond on behalf of the Council to planning appeals.
3. To respond on behalf of the Council to enforcement notices.
4. To monitor and request Tree Preservation Orders.
5. To administer on behalf of the Council the Committee's approved annual budget.
6. To comment on behalf of the Council on strategic planning matters.
7. To be responsible for any action in respect of conservation or environmental protection.
8. Granting of dispensations in accordance with duly adopted Council Policy
9. *If a quorum of appointed Committee Members is not going to be possible, to allow temporary co-option of another Member (with voting rights) on to the Committee at the discretion of the Committee Chairman or Vice-Chairman plus one other Member."*

#### DELEGATED TO CHAIRMAN AND VICE-CHAIRMAN OF PLANNING COMMITTEE (acting together)

At the request of the Clerk and in circumstances deemed to be exceptional and urgent to exercise any powers within the purview of their Committee provided they are satisfied that the decision cannot wait for the next meeting, is not against Council policy, is financially viable or defensible and is reported to the next ordinary meeting of the Committee. In the event that the Chairman and/or Vice-Chairman are absent and cannot be contacted then this power shall pass to the Chairman/and or Vice-Chairman of the Council or another member acting with one of those members provided a declarable pecuniary interest does not apply.

#### DELEGATED TO ANY TWO MEMBERS OF THE PLANNING COMMITTEE:

At the request of the Clerk, due to time constraints, to respond to planning applications on behalf of the Committee provided:

1. In the opinion of all three the proposal is of a minor nature
2. It is reported to the next meeting of the Planning Committee.

*Alternatively - When a quorum of appointed Committee Members is not going to be possible, to allow temporary co-option of another Member (with voting rights) on to the Committee at the discretion of the Committee Chairman or Vice-Chairman plus one other Member."*

### **AMENITIES COMMITTEE**

#### **TERMS OF REFERENCE**

The supervision and management of the recreation grounds and open spaces owned by the Parish Council

Liaison with bodies of sport and recreation

Encourage maximum use of the present recreational facilities

Active encouragement of greater sports and leisure activities for the benefit of the community

Highway, footpath and river matters

To monitor traffic management throughout the parish

To monitor tourism

To monitor the tidiness of the parish

#### **DELEGATED TO AMENITIES COMMITTEE**

1. To be responsible for the supervision and management of the recreation grounds and open spaces owned by the Parish Council.
2. To liaise with organisations and other local authorities responsible for providing sport and recreation.
3. To be responsible for maximising the use of the Council's recreational facilities.
4. To encourage an expansion of sport and leisure activities in the community.
5. To administer on behalf of the Council the Committee's annual budget.
6. To comment on behalf of the Council on traffic management and road safety proposals
7. To liaise with other agencies on matters concerning roads, footpaths and rivers.
8. To monitor on behalf of the Council the tidiness of the parish.
9. To liaise with statutory undertakers and local authorities on matters concerning their street furniture, signing and public seating.
10. To assist other agencies with tourism.
11. To be responsible for the Council's public lighting.
12. To comment where necessary on matters concerning health.
13. Granting of dispensations in accordance with duly adopted Council Policy

#### **DELEGATED TO CHAIRMAN AND VICE-CHAIRMAN OF AMENITIES COMMITTEE (acting together)**

At the request of the Clerk and in circumstances deemed to be exceptional and urgent to exercise any powers within the purview of their Committee provided they are satisfied that the decision cannot wait for the next meeting, is not against Council policy, is financially viable or defensible and is reported to the next ordinary meeting of the Committee. In the event that the Chairman and/or Vice-Chairman are absent and cannot be contacted then this power shall pass to the Chairman/and or Vice-Chairman of the Council or another member acting with one of those members provided a declarable pecuniary interest does not apply.

## **FINANCE COMMITTEE**

### **TERMS OF REFERENCE**

Receive financial statements on the Council's accounts  
The preparation of the Annual Accounts  
Grants to outside bodies  
The fixing of charges  
Negotiating land transactions  
The framing of Bye-Laws  
Preparation of Leases and the monitoring of the observance of the conditions of the Leases  
Insurances  
Office equipment and furniture  
To prepare the annual budget and recommend the Precept to Full Council  
Approval of expenditure and the signing of cheques  
Village hall Management Committee – to receive the accounts and monitor/review the insurance policy of the Village Hall.  
Monitoring of reserve accounts

### **DELEGATED TO FINANCE COMMITTEE**

1. To approve and sign payments on behalf of the Council.
2. To receive reports on the position of the Council's accounts at each meeting.
3. To administer on behalf of the Council the Committee's approved annual budget.
4. To consider and determine applications for grant aid.
5. To fix charges for services.
6. To fix rents for any premises under the control of the Committee.
7. To negotiate land transactions on behalf of the Council including the content of leases.
8. To recommend to Council the framing of Bye-Laws.
9. To be responsible for all of the Council's insurance matters.
10. To be responsible for the repair and maintenance of all the Council's assets, fixtures and fittings.
11. Village hall Management Committee – to receive the accounts and monitor/review the insurance policy of the Village Hall.
12. To consider the quarterly report of the Internal Auditor.
13. To be responsible for the annual accounts of the Council and completion of the External Auditor's Annual Financial Statement.
14. To recommend to Council the Council's budget and Precept demand.
15. To monitor Freedom of Information Act and Data Protection Act requests
16. To monitor the Council's investments and authorise the movement of funds between Council approved accounts.
17. Granting of dispensations in accordance with duly adopted Council Policy

### **DELEGATED TO CHAIRMAN AND VICE-CHAIRMAN OF FINANCE COMMITTEE (acting together)**

At the request of the Clerk and in circumstances deemed to be exceptional and urgent to exercise any powers within the purview of their Committee provided they are satisfied that the decision cannot wait for the next meeting, is not against Council policy, is financially viable or defensible and is reported to the next ordinary meeting of the Committee. In the event that the Chairman and/or Vice-Chairman are absent and cannot be contacted then this power shall pass to the Chairman/and or Vice-Chairman of the Council or another member acting with one of those members, provided a declarable pecuniary interest does not apply.

**NOTE: The Finance committee will at all times notwithstanding the extent of these delegated powers, be mindful of the importance of referring items to Full Council where that course of action appears to be prudent.**

### **POSITION AND RESPONSIBILITIES OF THE CLERK**

The Clerk is the Proper Officer.

When it is a Statutory Requirement that this Officer be named the Proper Officer is Mrs Ann Jacobs. The Clerk shall be the Financial Officer of the Council with the authority to manage the monies of the Council.

The Council will delegate to the Clerk its authority to deal with minor matters particularly when the policy of the Council is known. She should seek the advice of the Chairman of the Council if necessary.