



CAMBOURNE PARISH COUNCIL

District of South Cambridgeshire

TERMS OF REFERENCE AND DELEGATED POWERS

**AS ADOPTED BY CAMBOURNE PARISH COUNCIL
on 7th March 2006**

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TERMS OF REFERENCE AND SCHEME OF DELEGATED POWERS

DELEGATED POWERS

Members will be advised by the Clerk whether or not a particular item under discussion is within the Committee (or Sub-Committee's) delegated powers. The minutes will then record the decision as "RESOLVED". If it is not, then the minutes will show the decision as "RECOMMENDED", and will then be brought to the Council's particular attention by the Chairman of the Committee at the next meeting of the Council when seeking approval and adoption of the Committee's minutes.

In any case where a Committee (or Sub) Chairman and Vice Chairman are either unsure whether or not any matter falls within delegated powers, or whether or not any matter should be determined by them, they should refer that matter to the next highest level of decision. A power delegated does not always have to be exercised.

PUBLIC AND PRESS

Under Section 1(2) of the Public Bodies (Admission to Meetings Act 1960) the Council, Committee or Sub-committee may exclude the public or press from the meeting. A motion must be passed at the meeting to the effect that, "as publicity would be prejudicial to the public interest by reason of the {Special} {Confidential} nature of the business about to be transacted at Agenda Item... Namely... (state nature of business eg 'Discuss Clerk's Contract'), it is advisable in the public interest that the Public and Press be temporarily excluded from this meeting and they are herewith instructed to withdraw."

Exclusion of the public and press must be minuted but it does not have to be on the Agenda.

The exclusion of public and press should be used prudently and the Council must be clear on the reasons for doing so.

The press and public may be excluded for the following reasons:

1. To discuss terms and condition of employment, or to discuss the conduct and dismissal of a member of staff
2. Terms and proposals and counter proposals in negotiating contracts
3. Preparation in legal proceedings
4. The early stages of a dispute
5. The early stages of agreeing tender/quotation details
6. The approval of tender/quotation details

PARISH COUNCIL

1.0 Terms of Reference

Non Committee members can address the Committee, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item.

- 1.1 Membership shall comprise all members of the Council.
- 1.2 Five members shall constitute a quorum, so long as the total membership of the council shall not exceed 15 councillors
- 1.3 The Council will consider the annual Estimates of Expenditure of the Council and recommend an annual precept to be issued upon the District Council
- 1.4 The Council shall approve arrangements to secure the proper administration of the financial affairs of the Council under Section 151 of the Local Government Act 1972 or such other relevant legislation.
- 1.5 The Council shall deal with any matters not specifically referred to any other Committee of the Council.
- 1.6 The Council may approve any payments already made for expenditure which have been previously authorised within Standing Orders or within Financial Regulations
- 1.7 The Council may approve, prior to payment, any other items of expenditure.
- 1.8 *The Council shall in accordance with Section 15(5) of the LGA 1972 set and annually revue an allowance for the Chairman of Cambourne Parish Council*

2.0 Powers

- 2.1 To elect the Chairman and Vice Chairman at the beginning of the Civic year
- 2.2 To appoint the members of the standing committees.
- 2.3 To co-opt onto the Council new Councillors for un-contested vacancies during the term of the Council.
- 2.4 To consider expenditure not within previously approved budgets.
- 2.5 To consider expenditure within a generally agreed budget but where the costs (or estimated costs) exceed that budget by more than 10 per cent.
- 2.6 To consider expenditure within generally agreed budgets but on items insufficiently clarified.
- 2.7 To approve a calendar of meetings of the Council and its Committees.
- 2.8 To advise the Chairman on any matter relating to the execution of the functions of that office.

- 2.9 To authorise the disposal of surplus items of plant, furniture and equipment.
- 2.10 To nominate persons to represent the Council on other organisations
- 2.11 To ensure the Council's compliance with the provisions of the Health and Safety at Work Act.
- 2.12 To approve the purchase of and repairs and maintenance to any civic insignia
- 2.13 To approve the purchase of civic gifts.
- 2.14 To authorise support for an objection to any relevant Bill during its passage through Parliament.
- 2.15 To approve the virement of expenditure within overall approved estimates.
- 2.16 To approve the use by other organisations of the Parish Council logo.
- 2.17 To advertise for the appointment of the Clerk and to make arrangements for interviews by an appointed panel
- 2.18 Matters of an urgent nature requiring settlement before the next meeting of the Council may be dealt with by the Chairman and Vice Chairman at their discretion but must be submitted for approval or otherwise to the next meeting of the Council.
- 2.19 Matters may also be delegated to the appropriate Committee if the matter requires further information/consideration.
- 2.20 The Chairman of the Council shall be an ex-officio voting member of every Committee and Sub-committee of the Council

LEISURE AND AMENITIES COMMITTEE

1.0 Terms of Reference

Non Committee members can address the Committee, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item.

- 1.1 Membership shall comprise eight members of the Council,
- 1.2 To elect a Chairman and Vice Chairman for each Civic year.
- 1.3 Three members shall constitute a quorum.
- 1.4 The Committee shall advise the Council of the uses of land under Council control for parks, cemeteries and open spaces, recreational and other activities.
- 1.5 The Committee shall advise the Council on all aspects of the operation of the Cambourne Community Centre (and any other future facility of a like nature) including any matters relating to the financial operations of that Centre
- 1.6 The Committee shall advise the Council on the acquisition of land for the purposes of leisure and recreational activities.
- 1.7 The Committee shall advise the Council on the provision of new and the modification of existing buildings and equipment
- 1.8 Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

2.0 Delegation of Powers

To the Committee

- 2.1 To act in respect of all matters within the purview of the Committee including the incurring of expenditure which has been approved by the Parish Council in the Annual Estimates.
- 2.2 To agree the usage of parks and open spaces by outside organisations.
- 2.3 To agree the purchase of items of plant and equipment within generally approved budgets where not already identified.
- 2.4 To recommend the level of charges in respect of the Council's cemetery, allotments and any other areas within the Committee's remit
- 2.5 To approve applications for Exhumation Orders.
- 2.6 To review and maintain Cemetery Regulations previously approved by the Council, and to approve any application for the variation of the Regulations regarding memorials and headstones,

- 2.7 To approve any entry into a Best Kept Village or Britain in Bloom Competition.
- 2.8 Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

To the Chairman and Vice Chairman

- 2.9 Those matters referred to in paragraph 2.2, 2.5 and 2.8 above.
- 2.10 Item 1.5 will be authorised by the Chairman and the Vice Chairman only in consultation with the Clerk.

POLICY AND FINANCE COMMITTEE

1.0 Terms of Reference

Non Committee members can address the Committee, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item.

- 1.1 Membership shall comprise the Chairman, Vice Chairman, Chairmen of the Planning and Leisure and Amenities committees and two other members
In the case of a duplication of roles additional councillors should be appointed to maintain the membership of the committee at 6. Such appointments shall be made at the first meeting after the Annual Council Meeting.
- 1.2 The Chairman of the Parish Council shall be Chairman of this Committee and the Vice Chairman of the Council shall be the Vice Chairman.
- 1.3 Three Members shall constitute a quorum.
- 1.4 To act as the Personnel Committee for the Parish Council
- 1.5 To authorise the attendance of members or officers at conferences or courses including the incurring of necessary expenditure.
- 1.6 To approve the payment of removal expenses in relation to the appointment of staff together with any 'lodging allowances' as may be deemed necessary.
- 1.7 To act as Finance Committee for the Parish Council
- 1.8 To maintain a register of assets and property belonging to the Council
- 1.9 To receive the annual Statement of Audited Accounts and make recommendations to the Council on any actions required
- 1.10 To ensure that the Committees receive up to date Financial Statements at each meeting

2.0 Delegation of Power

To the Committee

- 2.1 The Committee will place before the council annual estimates of expenditure relating to matters within its responsibility.
- 2.2 The Council shall exercise control over the insurance of its property and liabilities.
- 2.3 To agree job descriptions for all staff and suitable salaries.
- 2.4 Annually to review staffing levels and make recommendations to the Parish Council.

- 2.5 To receive annual reports on staff appraisals in October of each year.
- 2.6 To consider applications for grants within a budget previously approved by the Council. No application shall be laid before the Committee for consideration until a statement of accounts (or, in the case of any new organisation, a financial plan) is received by the Clerk in support of the application.
- 2.7 To make arrangements for elections for a casual vacancy.
- 2.8 To receive statements from the external auditor and the internal auditor and to take actions required to ensure the efficient running of the Parish Council
- 2.9 Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

To the Chairman and Vice Chairman

- 2.10 To authorise the advertisement of vacant posts within an agreed staff establishment, other than for the post of Clerk of the Council
- 2.11 Matters in 2.9 above

PLANNING COMMITTEE

1.0 Terms of Reference

Non Committee members can address the Committee, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item.

- 1.1 Membership shall comprise eight members of the Council.
- 1.2 Three members of the Council shall constitute a quorum.
- 1.3 To elect a Chairman and Vice Chairman for each Civic year
- 1.4 The Committee shall receive and consider applications for planning permission received from the Local Planning Authority. Having regard to the parish map, parish amenities and other relevant considerations, shall make suitable recommendations to the Local Planning Authority as to whether or not planning permission should be granted, withheld or granted subject to certain conditions.
- 1.5 The Committee shall receive on behalf of the Council such statutory notifications as fall within the function of Town Planning.
- 1.6 The Committee shall act in respect of any other matter requiring any form of planning consideration and which is within the purview of the Committee and which requires some form of recommendation to the Council.
- 1.7 The Committee shall consider matters relating to highways and transport in and around Cambourne
- 1.8 Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

2.0 Delegation of Powers

To the Committee

- 2.1 Those functions contained in paragraphs 1.3 - 1.7 shall be delegated to the Planning Committee.

To the Chairman and Vice Chairman

- 2.2 Those matters referred to in paragraph 1.8 above.
- 2.3 Representation of the Council at any Committee, Sub-committee, panel or form of another authority to support the Council's best interests on any matter within the remit of this Committee

CAMBOURNE FESTIVAL WORKING PARTY

1.0 Terms of Reference

Non-working party members can address the Working Party, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item.

- 1.1 Membership shall comprise members of the Council, invited residents and representatives of the Sports and Leisure Centre and Youth Service Providers.
- 1.2 The Working Party shall come under the remit of the Parish Council and report thereto in the first instance.
- 1.3 Three members of the Working Party shall constitute a quorum.
- 1.4 To elect a Chairman for each Civic year
- 1.5 The Working Party shall consider matters relating to the Cambourne Festival.
- 1.6 Matters of an urgent nature requiring settlement before the next meeting of the Working Party may be dealt with by the Chairman of the Working Party at their discretion but must be submitted for approval or otherwise to the next meeting of the Working Party.

2.0 Delegation of Powers

To the Working Party

- 2.1 Those functions contained in paragraphs 1.3 - 1.5 shall be delegated to the Working Party to make recommendations to the Parish Council.

To the Chairman

- 2.4 Those matters referred to in paragraph 1.6 above.
- 2.5 Representation of the Council at any Committee, Sub-committee, panel or form of another authority to support the Council's best interests on any matter within the remit of this Working Party.

CAMBOURNE YOUTH PARTNERSHIP WORKING PARTY

1.0 Terms of Reference

Non-working party members can address the Committee, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item.

- 1.7 Membership shall comprise members of the Council, invited residents and representatives of the CYP and Youth Service Providers.
- 1.8 The Working Party shall come under the remit of the Leisure and Amenities Committee and report thereto in the first instance.
- 1.9 Three members of the Council shall constitute a quorum.
- 1.10 To elect a Chairman for each Civic year
- 1.11 The Working Party shall consider matters relating to Youth Provision in Cambourne.
- 1.12 Matters of an urgent nature requiring settlement before the next meeting of the Working Party may be dealt with by the Chairman of the Working Party at their discretion but must be submitted for approval or otherwise to the next meeting of the Working Party.

2.0 Delegation of Powers

To the Committee

- 2.1 Those functions contained in paragraphs 1.3 - 1.5 shall be delegated to the Working Party to make recommendations to the Leisure and Amenities or Parish Council.

To the Chairman

- 2.6 Those matters referred to in paragraph 1.6 above.
- 2.7 Representation of the Council at any Committee, Sub-committee, panel or form of another authority to support the Council's best interests on any matter within the remit of this Working Party.

TRANSPORT WORKING PARTY

1.0 Terms of Reference

Non Committee members can address the Committee, subject to the prior approval of the Chairman, on a particular item on the agenda for a period of not more than 3 minutes, but they will have no voting rights on this item.

- 1.13 Membership shall comprise members of the Council, invited residents and representatives of the District and County Council.
- 1.14 The working Party shall come under the remit of the Planning Committee and report thereto in the first instance.
- 1.15 Three members of the Council shall constitute a quorum.
- 1.16 To elect a Chairman for each Civic year
- 1.17 The Working Party shall consider matters relating to highways and transport in and around Cambourne.
- 1.18 The Working Party shall act in respect of any other matter requiring any form of consideration and which is within the purview of the Planning Committee and which requires some form of recommendation to the Planning Committee or Parish Council.
- 1.19 Matters of an urgent nature requiring settlement before the next meeting of the Working Party may be dealt with by the Chairman of the Working Party at their discretion but must be submitted for approval or otherwise to the next meeting of the Working Party.

2.0 Delegation of Powers

To the Committee

- 2.1 Those functions contained in paragraphs 1.3 - 1.6 shall be delegated to the working Party to make recommendations to the Planning Committee or Parish Council.

To the Chairman

- 2.8 Those matters referred to in paragraph 1.7 above.
- 2.9 Representation of the Council at any Committee, Sub-committee, panel or form of another authority to support the Council's best interests on any matter within the remit of this Working Party.

POWERS SPECIFICALLY DELEGATED TO THE CLERK

- 1.0 Authorising expenditure on items where the Council, or the appropriate Committee under delegated powers, within a budget approved by the Council, has agreed the expenditure.
- 1.1 In conjunction with the Chairman and Vice Chairman of the Finance Committee, investing the council's monies on condition that such monies are appropriately invested with the Council's appointed bankers, the Post Office or a reputable building society.
- 1.3 Acting as the Council's "Proper Officer" in all cases where any legislation requires the appointment of such an officer.
- 1.4 To act as the Responsible Officer for Health and Safety