



TERMS OF REFERENCE & DELEGATIONS

FULL COUNCIL (20 Members / **Quorum 7**)

The full Council can take all decisions on behalf of Burbage Parish Council, or it may appoint one or more Committees for the purpose of discharging any of its functions. It may also delegate some of its functions to Officers of the Council. This document sets out the agreed delegations to Committees and Officers.

The following powers may only be exercised by the full Parish Council:

- The power to issue a precept for a rate.
- Approval of the Parish Council's annual financial estimates including:
 - Income
 - Precept
 - Other Income
 - Unallocated Surplus from previous years
 - Expenditure
 - Revenue Budget
 - Transfers to/from General reserves
 - Transfers to/from Projects/earmarked Reserves
 - Reserves (forecast Opening)
 - Deposits held
 - Contingency
 - Capital Reserves
 - General Reserves
 - Project/Earmarked Reserves
- To approve virements to/from Capital and General Reserves
- The duty to consider an auditor's report under S11 of the Audit Commission Act 1998.
- Approval of the Council's Standing Orders, Financial Regulations and powers and duties of Committees.
- Adoption of new policies or the amending, revoking of any policy not specifically delegated to a committee or sub-committee of council.
- Making, amending, revoking, re-enacting or adopting bye laws and promoting or opposing the making of local legislation.
- Appointment of Members to serve on committees, and outside bodies.
- All other matters which must, by law, be reserved to the full Council.

The Chairman of the Parish Council is entitled to attend and vote at all meeting of committees, sub-committees and working parties.

ADMINISTRATION & FINANCE COMMITTEE (Maximum 10 Members / **current 7 Members, Quorum 4**)

This Committee has delegated powers to decide matters required to be determined by members as set out below:

- Monitoring all of the council's financial matters
 - Ensuring the Revenue Balance is maintained within the amount allocated to the Contingency Reserve
 - Ensuring the total forecast expenditure on Projects does not exceed the allocation
- To approve virements as necessary, except to/from Capital and General Reserves
- Delegate specific revenue budget items to other committees/sub-committees
- Formulating and monitoring policies on financial risk management and internal controls
- Allocation of grants and donations within the allocated budget
- Administration and maintenance of the Millennium Hall and other properties owned by the Council, unless delegated to another committee.
- To agree matters relating to events within the Village whether organised by the Council or other organisations
- Seeking of grants for Council projects
- Health & Safety
- To deal with consultation which time prevents being presented to Full Council (except those falling under the remit of the Environment or Planning Committees)
- Any other matter referred to the Finance & Administration Committee by the full Council

The Committee may consider and make recommendations to the full Council on the following matters:

- Issuing a precept and borrowing of money
- Matters of policy or new issues of importance
- Committee, sub-committee and working party requests for expenditure beyond the agreed budget allocation

The Committee may appoint Sub-Committees (max 10 members, plus the Chairman) to deal with specific issues/projects as necessary provided clear delegations have been agreed for the Sub-Committee.

The Committee may appoint working parties (max 7 members, plus the Chairman) on a task and finish basis to deal with specific issues/projects as necessary.

PLANNING COMMITTEE (Maximum 10 Members / **current 9 Members, Quorum 5**)

This Committee has delegated powers to decide matters required to be determined by members as set out below:

- Monitoring financial matters specifically delegated to the committee (if any)
 - Ensuring the total forecast expenditure on delegated Projects does not exceed the project allocation
- To make observations to the Local Planning Authority on planning applications and like matters.
- To respond to proposals for traffic regulation, associated highways issues and any other infrastructure matters.

The Committee may appoint Sub-committees (max 10 members, plus the Chairman) to deal with specific issues/projects as necessary provided clear delegations have been agreed for the Sub-committee.

The Committee may appoint working parties (max 7 Members, plus the Chairman) on a task and finish basis to deal with specific issues/projects as necessary.

ENVIRONMENT COMMITTEE (Maximum 10 Members / current 9 Members, Quorum 5)

This Committee has delegated powers to decide matters required to be determined by members as set out below:

- Monitoring financial matters specifically delegated to the committee
 - Ensuring the total forecast expenditure on delegated Projects does not exceed the project allocation

The Committee may appoint Sub-committees (max 10 members, plus the Chairman) to deal with specific issues/projects as necessary provided clear delegations have been agreed for the Sub-committee.

The Committee may appoint working parties (max 7 Members, plus the Chairman) on a task and finish basis to deal with specific issues/projects as necessary.

STAFFING COMMITTEE (Maximum 10 Members / current 7 Members, Quorum 4)

The committee has delegated powers to make decisions about all staffing issues not delegated to the Principal Officer including:

- Monitoring financial matters specifically delegated to the committee
- To consider any staff grievances in line with adopted policy
- To carry out disciplinary hearings in line with adopted policy
- To keep under review staff working conditions and health & safety matters
- To manage long term sickness, incidents at work and return to work programmes
- To review the Council's staffing arrangements and recommend appropriate changes to the Council
- To carry out the Principal Officer's annual appraisal

The Committee may appoint Sub-committees (max 10 members, plus the Chairman) to deal with specific issues/projects as necessary provided clear delegations have been agreed for the Sub-committee.

The Committee may appoint working parties (max 7 Members, plus the Chairman) on a task and finish basis to deal with specific issues/projects as necessary.

In the absence of the Principal Officer all staffing issues will be the responsibility of the Staffing Committee including staff welfare and the appointment of temporary staff for the post of Principal Officer as necessary.

BUDGET SUB-COMMITTEE (Maximum 10 Members / current 5 Members, Quorum 3)

This Sub-committee has delegated powers to decide matters required to be determined by members as set out below:

- Monitoring financial matters specifically delegated to the Sub-committee

The Sub-committee may consider and make final recommendations to the Full Council on the following matters:

- Issuing a precept and setting the annual budget, taking into account guidance & direction given by the Administration & Finance Committee.

SPORTS SUB-COMMITTEE (Maximum 10 Members / current 7 Members, Quorum 4)

This Sub-committee has delegated powers to decide matters required to be determined by members as set out below:

- Monitoring financial matters specifically delegated to the Sub-committee
- Administration and maintenance of the sports pavilions owned by the Council.

OPEN SPACES SUB-COMMITTEE (Maximum 10 Members / current 5 Members, Quorum 3)

This Sub-committee has delegated powers to decide matters required to be determined by members as set out below:

- Monitoring financial matters specifically delegated to the Sub-committee
- Administration and maintenance of the open spaces owned by the Council.

CEMETERY SUB-COMMITTEE (Maximum 10 Members / current 5 Members, Quorum 3)

This Sub-committee has delegated powers to decide matters required to be determined by members as set out below:

- Monitoring financial matters specifically delegated to the Sub-committee
- Administration and maintenance of the Cemetery (including toilet block) owned by the Council.
- Maintenance of St Catherine's Churchyard
- Maintenance of Burbage War Memorial

DELEGATIONS TO THE PRINCIPAL OFFICER

The Principal Officer 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. The Principal Officer is authorised to undertake the following functions:

- To sign documents on behalf of the Council
- To institute and appear in any legal proceedings authorised by the Council
- To manage the Council staff in accordance with the Council's policies, procedures and budget, including:
 - make appointments to posts, where not reserved for appointment by Members
 - the appointment of temporary employees
 - staff performance and discipline
 - implementation of the national pay awards
- To manage all the Parish Council's services and property in line with the budgets and policies approved by Members
- To act as the Council's designated Officer for the purposes of the Freedom of Information Act 2000 and for Subject Access Requests under GDPR legislation 2018.
- To authorise expenditure up to a maximum of £10000 on any item for which provision is made within the appropriate budget, provided that any action taken complies with any legislative provisions and the requirements of the Council's Financial Regulations.

The Principal Officer may delegate day to day management of functions and services to other Officers, in line with the approved duties of these posts, as agreed by the Council.

The Principal Officer may incur expenditure on behalf of the Council which is necessary to 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. The Principal Officer shall, where possible, consult with the Chairman or Chair of any committee prior to the action and report the action to the Council or appropriate committee as soon as practicable thereafter.

DELEGATIONS TO THE RESPONSIBLE FINANCIAL OFFICER

The Responsible Financial Officer is designated and authorised to act as Responsible Financial Officer (RFO) for the purposes of all relevant sections of the Local Government Act, 1972 and is authorised to undertake the following functions:

- To act as the RFO of the Council and be authorised to undertake all the financial and contractual functions designated with the Financial Regulations adopted by the Council and in compliance with the Accounts and Audit (England) Regulations 2015

The RFO may delegate day to day management of financial and contractual functions to other Officers, in line with the approved duties of these posts, as agreed by Council.