



WENDOVER PARISH COUNCIL

The Clock Tower, High Street, Wendover,
Aylesbury, Buckinghamshire, HP22 6DU

Terms of reference for the Wendover Parish Council

1. General Provisions

1.1 Authority

These Terms of Reference are subject to the Council's Standing orders and Financial Regulations. The main terms of reference are detailed below and should be applied at all committee meetings. Specific information pertaining to individual meetings can be found in section 2.

Wendover Parish Council appoints members to the following committees:

Planning Committee
Finance Committee
Amenities Committee
Staffing Committee
Grants Sub-Committee

1.2 Membership

All members of the Committees will be WPC Councillors. The membership of each Committee will be reviewed annually but will consist of no less than **five and no more than eight Councillors**. A quorum at each Committee meeting will consist of no fewer than **three Councillors**. The Chairman and Vice Chairman of the Council will automatically be ex officio members of any of the Committees with full voting rights if in attendance.

Any member of a Committee unable to attend a meeting must notify the Clerk* within three working days of the meeting. A reason for their absence should be given in order that the Committee can decide whether to accept the apology.

Should a member of the Committee be unable to attend a meeting, they may appoint another Councillor to attend as their substitute. It should be noted however that this should only occur where:

- the meeting may be at risk of being inquorate without such a substitution
- the substitute Councillor has specific knowledge to share which is important to an item on the agenda

The Clerk* must be notified of any substitution within three working days of the meeting. The ordinary member is responsible for ensuring the Councillor attending in his place is fully briefed on the items on the agenda.

The Committee may, by a show of hands, co-opt new permanent members on to the Committee. A new member who has been co-opted onto the Committee may take their place on the Committee immediately following their co-option.

Councillors wishing to resign from a Committee must do so by notifying the Clerk*.

1.3 Chairman of the Committee or Sub-Committee

At the first meeting, following the Annual Council Meeting, each Committee will elect a Chairman to preside at its future meetings.

In the absence of the Chairman of the Committee, if the Chairman of the Council is present at a Committee meeting they will preside. The Chairman of the Council may however waive this right. If the Chairman of the Council is not present at the meeting (or waives their right to Chair the meeting), the first order of business of that meeting will be the nomination, by a show of hands, of a Chairman to preside at that meeting.



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1.4 Agenda Setting

The Clerk* and Chairman of the Committee will agree the items for the agenda prior to its publication.

Any Councillor wishing to ask for a particular item to be included on the agenda must do so at least **eight working days prior to the meeting date** to allow the request to be considered by the Clerk* and Chairman of the Committee. The decision on which items should be included on the agenda is ultimately the responsibility of the Clerk*, it should however be possible for the Chairman and the Clerk* to agree together which items should and should not be on an agenda.

No decision should be made about any matter not listed for discussion on the published agenda.

1.5 Record of Proceedings

Written minutes will be taken by the Clerk* of the Council. If the Clerk* is unavailable, a member of the Committee or a member of staff may be nominated at the start of the meeting to take the minutes.

Minutes must include all of the Committee's decisions. Draft minutes will be circulated to all Councillors no later than 5 clear working days after the Committee meeting. The Clerk* is responsible for arranging the distribution of the minutes and receiving any requests for amendments or additions. Where the Clerk* is in doubt about any requested alteration to the agenda this will be decided by the Committee.

At each meeting the Committee will consider the draft minutes of the previous meeting. The Committee will make a resolution to accept the minutes (which may be subject to minor changes) and the Chairman of the meeting will sign them accordingly.

All Councillors are asked to contact the Clerk* at least two working days prior to the Committee meeting if there are any changes they wish to make to the draft minutes.

1.6 Delegated Power

The Committees make recommendations to the Council regarding the matters that are debated. The Committees are however given delegated power with regards to the following activities:

- a) To arrange future meetings of the Committee or Sub Committee
- b) To co-opt new members onto the Committee or Sub Committee
- c) To accept apologies from Committee members or Sub Committee
- d) To resolve to accept the minutes of the Committee or Sub Committee
- e) To establish sub-committees and working groups and to appoint advisers as and when necessary to assist in its work.

Where the Council believes it to be appropriate, it may resolve to delegate additional specific decisions to the Committees or Sub Committee.

1.7 Public Participation

Committee meetings are held in public but are not 'public meetings'. The meetings are open to the public unless their presence would be prejudicial to the public interest by reason of the confidential nature of the business, or items of business to be transacted. The public's exclusion from part or all of a meeting will be by a resolution which shall give the reason(s) for the public's exclusion.



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The period of time which is set aside for public participation is at the Committee Chairman's discretion but in general will not exceed 15 minutes. Individuals will have a maximum of 3 minutes each. Further information can be found in the Standing Orders of Wendover Parish Council.

1.8 Conduct at Committee Meetings

Committee members are expected to abide by the WPC Code of Conduct at all times.

Although debate at Committee meetings is often less formal than at the Council meeting, Councillors may at the discretion of the Chairman still be asked to raise their hand to speak and to only speak when invited to by the Chairman.

All Councillors must:

- **respect other members' right to express their opinions**
- **not interrupt members or officers when they are speaking**
- **consider all views before coming to a conclusion on an item on the agenda**

Clear and concise resolutions are required at all times to avoid ambiguity in the minutes and to ensure that the intention of the resolution is conveyed to the members for them to vote on.



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2. Functions and Responsibilities

2.1 Planning Committee

The Planning Committee serves to represent the views of Wendover Parish Council which is a Statutory Consultee for the Local Planning Authority (LPA), currently Aylesbury Vale District Council, on all planning applications falling within the boundary of Wendover and for the wider planning strategy for the District.

The Planning Committee is appointed by and is solely responsible to Wendover Parish Council (WPC). The Committee's duties are defined and agreed by the Council who may vote, at any time, to modify the Committee's powers.

The Chairman of the Committee and Clerk should have a good knowledge of the Local and National Planning Policy Framework and should be aware of the issues relating to each planning application submitted to the Parish Council for comment. They should be able to guide the Committee to make informed recommendations in its comments to the LPA.

The Planning Committee shall meet fortnightly unless there are insufficient new planning applications to consider. If there are no new planning applications the next scheduled meeting will be cancelled, and the decision to so will be notified at least one week in advance. If only one or two new planning applications have been received they shall be considered at the next meeting of the Parish Council, or if the date for commenting is sooner the Clerk will canvass the opinions of the Committee by email and respond on its behalf. The plans relating to the applications will be available for viewing as a hard copy at the Parish Council Office and online on the AVDC website.

Following the Planning Committee meeting all comments on planning applications and responses to consultations will be notified to the relevant authority by the Clerk before the due date.

On occasion when an objection to a planning application has been made by the Planning Committee an amendment to the plans may be made by the applicant that then nullifies the objection. In this situation, where the majority of the Planning Committee is in agreement, the Clerk has the delegated authority to withdraw the objection.

The Clerk is responsible for maintaining a detailed record of all planning applications, the Council's responses and the final decision in the Parish Council's Planning Log and in the minutes of the meetings.

There is a protocol for site visits which must be followed when Parish Councillors wish to make a formal site visit. The arrangement of a site visit must be done through the Clerk who will notify all Members of the Committee of the visit. Councillors who make individual ad-hoc site visits are not representing the Parish Council although the Code of Conduct still applies. Following a site visit a report will be made to the Committee.

Responsibilities

- To have an understanding of the current Planning Regulations.
- Under delegated power from Wendover Parish Council to respond to the LPA when consulted on new planning applications affecting Wendover.
- The Committee has a responsibility to consider equally all representations made to it, either in writing or during public participation at the meeting, before making its decision.



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- When contentious planning applications are referred to the LPA Development Management Committee for decision at their meetings a representative from the Planning Committee should be nominated to attend the meeting and present the views of the Parish Council. If no one from the Planning Committee is available another Parish Councillor or member of staff can attend the meeting.
- To prepare appropriate responses to consultations for planning related matters and to report these back to the Parish Council.
- To represent the views of the Parish Council at any planning appeals or inquiries.
- To influence the planning strategy of the LPA by responding to consultations in a manner that is realistic but protects the amenities of Wendover and its surrounding area.
- To prepare a Neighbourhood plan in order to influence development within the parish, to manage changes in a sympathetic way and to preserve the special character and amenities of Wendover parish. To use this document as a reference when considering new development within the parish.
- A Member of the Committee (usually the Chair) should represent the Parish Council at the Local Planning Liaison Group meetings which are arranged on an ad-hoc basis by the LPA.
- To notify the relevant enforcement authority of any breach of planning regulations that is brought to the Council's attention.

2.2 Finance Committee

The Finance Committee is appointed to manage the Council's financial resources and to debate and recommend strategy and action on policy and operational matters concerned with Council's finances.

The Finance Committee is appointed by and is solely responsible to Wendover Parish Council (WPC). The Committee's duties are defined and agreed by the Council who may vote, at any time, to modify the Committee's powers. The Committee will meet bi-monthly but can also be convened as necessary to deal with urgent matters.

In addition to the delegated powers in Section 1, the Finance Committee has full delegated power with regards to the following activities;

- a) To approve expenditure within the agreed budget limits.
- b) To approve minor amendments to the RBS accounting system (or any such system that replaces it)

In emergency situations, where delaying a decision would lead to a cost to the Council, any decisions regarding the investment of the Council's reserves can be made by the Clerk under advisement of the Chairman of Finance (PC14/123).

The setting of the precept cannot legally be delegated as a decision to be taken by a Committee.

Responsibilities

- a) To prepare budgets and recommend precepts for submission to the Council for approval.
- b) To ensure adequate financial controls are in place to utilise and protect the Council's finances and assets – to include;
 - insurance of buildings and property
 - maintenance of the asset register
- c) To Review and if necessary amend the Council's Financial Regulations on an annual basis and ensure the Council is observing the regulations.
- d) To monitor and effect compliance with laid down internal and external audit and other financial procedures, regulations and statutes.
- e) To monitor, and where appropriate, recommend the purchase of capital items.
- f) To make provision for future agreed capital projects.



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- g) To review Council Fees and Charges on a regular basis (at least annually)
- h) To monitor the Council's financial risk assessments and recommend changes where necessary.
- i) To establish and effect a clear policy for grant administration.
- j) To approve other Committee's annual spending/budget levels and capital projects to be undertaken and recommend implementation of the same to the Council.
- k) To approve, within budgetary limits, day to day expenditure. To appoint the Responsible Financial Officer to oversee the Council's financial affairs (normally the Clerk)
- l) To regularly review the Council's banking and investment arrangements.

2.3 Amenities Committee

The Amenities Committee is appointed to examine and recommend to the Council where necessary any maintenance and improvements to the amenities of the Parish.

The Amenities Committee is appointed by and is solely responsible to Wendover Parish Council (WPC). The Committee's duties are defined and agreed by the Council who may vote, at any time, to modify the Committee's powers. The Committee will meet monthly with the exception of times when items for the agenda are insufficient.

In addition to the delegated powers in Section 1, the Amenities Committee has full delegated power with regards to the following activities;

- a) To authorise any non-controversial development and maintenance to the amenities of the Parish to a maximum cost of £5000 (before VAT); provided budget is available under the appropriate heading to cover all costs.

Responsibilities

- a) To consider and to deal with, on behalf of the Council, all maintenance and improvement matters relating to the open spaces, ponds and buildings of the Council.
- b) To consider all matters relating to benches, bins, bus shelters, play & leisure equipment, war memorial, street lights and other street furniture that is under the control of the Council or that the Council has agreed to maintain.
- c) To ensure the play grounds and skate park are independently and professionally inspected and that appropriate action is taken on the recommendations contained in reports.
- d) To consider all matters relating to the Council's allotments and tenants.
- e) To consider all matters relating to the Council's Markets (including the weekly market).
- f) To liaise with public bodies and organisations with the responsibility for the maintenance and development of infrastructure in the Parish.
- g) To monitor and effect compliance with any relevant regulations, policies and statutes under advice from the Clerk*.
- h) To formulate a budget for revenue/capital expenditure on amenities for the next financial year and to recommend it to the Finance Committee to inform the setting of the precept/PSR.
- i) To make recommendations to the Council throughout the year on capital spending on equipment and materials in line with the financial regulations.
- j) To gather information on large projects including devolved services and parking with a view to make recommendations to the Council.
- k) To consider matters of health and safety with regards to the Council's amenities.
- l) To ensure a record is kept of any accidents or incidents reported to the Council which took place on property or land owned by the Council and to ensure appropriate remedial action is taken.
- m) To consider ways that the Council's amenities can be managed to help the environment and encourage biodiversity.



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2.4 Staffing Committee

The Staffing Committee is appointed to examine and recommend to the Council where necessary any maintenance and improvements to the staff assets of the Parish.

The Staffing Committee is appointed by and is solely responsible to Wendover Parish Council (WPC). The Committee's duties are defined and agreed by the Council who may vote, at any time, to modify the Committee's powers. The Committee will meet as and when necessary but quarterly at a minimum.

To incur expenditure on behalf of the Council: On items of a routine or repetitive nature where already provided within the agreed revenue budget and excluding any items incurring capital expenditure and in accordance with Financial Regulations.

In addition to the delegated powers in Section 1, the Staffing Committee has full delegated power with regards to the following activities;

- a) To authorise any staffing expenditure provided budget is available under the appropriate heading to cover all costs.
- b) To employ new temporary or permanent staff or delegate such matters to the Clerk

Responsibilities

- a) To consider and to deal with, on behalf of the Council, all staffing matters relating to the staff and volunteers of the Council.
- b) To consider all matters relating to HR and Health and Safety regulations
- c) To monitor and effect compliance with any relevant regulations, policies and statutes under advice from the Clerk* or a professional where needed.
- d) To formulate a budget for revenue/capital expenditure on staffing for the next financial year and to recommend it to the Finance Committee to inform the setting of the precept/PSR.
- e) To make recommendations to the Council throughout the year on any capital spending.
- f) To obtain quotes for revenue/capital expenditure subject to the permission of the Parish Council.
- g) To encourage development and wellbeing of the staff through training and annual appraisals.

2.5 Grants Sub-Committee

The Grants Sub-Committee is appointed to decide upon the award of grants from Wendover Parish Council and to recommend any updates to the policy, application process or assessment process.

The Grants Sub-Committee is appointed by the Finance Committee and is solely responsible to Wendover Parish Council (WPC). The Sub-Committee's duties are defined and agreed by the Finance Committee who may vote, at any time, to modify the Sub-Committee's powers. The Sub-Committee will meet annually but can also be convened as necessary to deal with urgent matters.

In addition to the delegated powers in Section 1, the Grants Sub-Committee has full delegated power with regards to the following activities;

- a) To approve or refuse major and minor grant applications
- b) To set a policy, application process and assessment process for grants



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Responsibilities

- a) To recommend a budget to the Finance Committee for grants by November each year.
- b) To assess major and minor grant applications in line with the grants policy.
- c) To recommend a process for advertising grants to the Parish.
- d) To write adverts for the WPC grant scheme.
- e) To inform applicants of the outcome of their application (or give guidance to the Clerk).
- F) To monitor the use of grants and arrange for suspension or recall of monies.

**** In this document where marked, 'Clerk' should be read as 'Clerk or Deputy Clerk'. For Finance Committee meetings where the document is marked 'Clerk' it should be read as 'Clerk or Deputy Clerk or Responsible Finance Officer' (RFO)***