# Chandler's Ford Parish Council

# Delegated Terms of Reference

## Section 1 Functions Delegated to Parish Council Committees

### Delegated Powers

Members will be advised, as required, by the Parish Clerk whether or not a particular item under discussion is within the Committee's delegated powers. The minutes will then record the decision as AGREED. 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.

### Restrictions on the use of Delegated Powers

Any three members (one of whom must be a member of the Committee) may refer a decision of the Committee to the Council for consideration, subject to the request being made to the Clerk within two days of the Committee meeting. (Note: to facilitate the "call-in" arrangements, a copy of the agenda for Committee meetings will be circulated to all Council members).

### Membership of Committees

The voting membership of all committees, the Chair and Vice-Chair are established for the council year at the Annual Meeting of the Council as set out in Standing Order 5.j(vii). Co-opted members may only be appointed upon resolution of Council as per Standing Order 4.e.iv.

Working Parties are appointed to undertake specific tasks and are formed by resolution of either a Standing Committee or Full Council and will appoint their Chair at the beginning of a meeting.

### Quorum

The quorum for each of the Committees shall be three members, or one third of the membership of the Committee, whichever is the higher, as set out in the adopted Standing Orders clause 3.v.

# Asset Management Committee

## Purpose

The purpose of the Asset Management Committee is to review and monitor the assets of the Parish Council including, but not limited to, the acquisition or transfer of new assets, the disposal of surplus or obsolete and the ongoing maintenance and management of existing assets.

Assets are defined as items owned, leased, or otherwise controlled by the Parish Council that have a tangible value or contribute to the delivery of services. This includes, but is not limited to, land, buildings, structures, equipment, and other physical property. For the purpose of these Terms of Reference, assets are considered to be those recorded in the Parish Council's Asset Register.

## Membership

1. The committee shall comprise of 8 Council members.
2. Members shall be appointed at the annual meeting of the council or, in the case of the resignation of a member(s), at an ordinary council meeting.
3. Non-councillor member(s) can be appointed if they have relevant professional experience. However, they will not have voting rights.
4. Committee meetings shall be subject to a quorum of 3 voting members.
5. As per the Standing Orders, the Chair of Council has voting rights on the occasion of their attendance at committee.

## Chair

The Council will elect a chair and vice chair at the annual meeting of the council.

## Conduct of Meetings

1. The committee will meet eight times a year and all meetings will be held in accordance with the council's standing orders.
2. The committee shall carry out all matters in accordance with the council's Standing Orders and any other related policies.
3. All meetings of the committee will be minuted by the clerk or other appropriate staff member.
4. All minutes of the committee meetings will be provided to the Full Council.
5. Members of the press and public will be allowed to attend meetings and make representations in relation to advertised business items of the agenda in accordance with standing orders.
6. Councillors who are not a member of this committee may attend but do not have automatic voting rights and are deemed to be a member of the public.

**Delegated Powers**

1. To be responsible for the maintenance of the Asset Register and to recommend adoption of said register annually by Full Council.
2. To purchase and issue contracts for services or works within framework of Standing Orders and Financial Regulations across asset improvements, play areas as well as allotments, recreation grounds and pavilion's maintenance. Where a contract falls beyond regulations, to make recommendation to Full Council.
3. To ensure the provision of grounds and other facilities maintenance schedule and monitor the efficacy and standards of those works.
4. To have responsibility for the Risk Assessments and management of assets/facilities.
5. To have authority to review rates chargeable for existing facilities and make recommendations to Full Council for any changes.
6. To agree disposal of existing and purchase of new assets in accordance with Officer's recommendations, in line with Financial Regulations.
7. To receive and review income and expenditure reports across income generating cost centres and recreation grounds to ensure income / expenditure meets budget expectation.
8. To oversee negotiations with Eastleigh Borough Council over Service Level Agreements for the proper management of assets as and when external inputs are required.
9. To consider asset transfers from Eastleigh Borough Council to the ownership of the Parish Council, ensuring agreed benefit to the parish and its residents and to make recommendation to Full Council. With consideration to include:-
    a. Financial implications of accepting asset transfer both with current condition and ongoing maintenance.
    b. Staffing implication.
    c. Risk assessments.
10. To authorise the submission of funding applications for identified improvements to assets on behalf of the Parish Council.
11. To oversee the review and management of leases, licences, tenancy arrangements, service agreements and associated operational documents relating to Council-owned or managed assets and facilities, and to make recommendations to Full Council where required.
12. To refer items to other committees and sub-committees as and when other inputs are required.

**Reporting line**

The Asset Management Committee reports to Council.

# Policy and Finance Committee

## Purpose

The purpose of the Policy and Finance Committee is to oversee the Council's financial governance, financial regulations, corporate risk management and policy framework, and to ensure robust accounting, banking and invoicing systems are maintained.

## Membership

1. The committee shall comprise of 9 Council members.
2. Members shall be appointed at the annual meeting of the council or, in the case of the resignation of a member(s), at an ordinary council meeting.
3. Membership must comprise of members of the Council only.
4. Committee meetings shall be subject to a quorum of 3 voting members.
5. As per the Standing Orders, the Chair of Council has voting rights on the occasion of their attendance at committee.
6. As per the Standing Orders, members of the Policy and Finance Committee are encouraged to attend training courses relevant to Finance issues, including but not limited to HALC provided Local Council Finance for Councillors – An Introduction.

## Chair

The Council will elect a chair and vice chair at the annual meeting of the council.

## Conduct of Meetings

1. The committee will meet six times a year and all meetings will be held in accordance with the council's standing orders.
2. The committee shall carry out all matters in accordance with the council's Standing Orders and any other related policies.
3. All meetings of the committee will be minuted by the clerk or other appropriate staff member.
4. All minutes of the committee meetings will be provided to the Full Council.
5. Members of the press and public will be allowed to attend meetings and make representations in relation to advertised business items of the agenda in accordance with standing orders.
6. Councillors who are not a member of this committee may attend but do not have automatic voting rights and are deemed to be a member of the public.

## Delegated Powers

1. To oversee the formulation, review and monitoring of corporate policies and governance documents not otherwise delegated to other Committees, and to make recommendations to Full Council regarding the adoption, amendment or withdrawal of such policies and documents..

2. Without prejudice to the duties and responsibilities of other Committees, to monitor and review the effectiveness of the Council's governance, financial administration and corporate service delivery arrangements make recommendations as appropriate to the Council.
3. To exercise general supervision of the financial administration of the Council, including:
   a. financial, accountancy and banking arrangements, including the Council's financial regulations.
   b. management of any Council investments.
   c. management of the Council's insurances.
   d. the provision of adequate and effective systems of control to secure the integrity of finances and any other information.
   e. preparation of a draft annual budget for Council's consideration and adoption.
   f. to authorise expenditure in accordance with approved budgets, project allocations, Standing Orders and Financial Regulations.
   g. monitoring of balance transfers between current and savings accounts to ensure optimal management of council funds.
4. To review the Council's Standing Orders (including appendices) and Financial Regulations and to make recommendations to Full Council regarding any amendments.
5. To maintain and monitor the Council's policy list to ensure all policies are reviewed and updated as required, making recommendations to Full Council where policy approval or amendment is required.
6. Review and monitor the Risk Assessment and recommend appropriate action to Council.
7. To oversee the Council's corporate governance arrangements relating to data protection, information governance and records management.
8. Manage and monitor all investments as directed by Council.

**Exclusions from Delegation**

The Committee may not exercise any function specifically referred by statute to the whole Council, and as set out in the Financial Regulations 2025 particularly Regulation 1.6.

**Reporting line**

The Policy and Finance Committee reports to Council.

# HR Committee

## Purpose

The purpose of the HR Committee is to review and oversee the strategic staffing, employment and personnel matters on behalf of the Council. These terms of reference are supplementary to, and do not override the Council's Standing Orders and / or Financial Regulations.

## Membership

1. The committee shall comprise of 5 Council members.
2. Members shall be appointed at the annual meeting of the council or, in the case of the resignation of a member(s), at an ordinary council meeting.
3. Committee meetings shall be subject to a quorum of 3 voting members.
4. As per the Standing Orders, the Chair of Council has voting rights on the occasion of their attendance at committee.

## Confidentiality

All members must preserve the confidentiality of personnel discussions held at meetings, and particularly that of exempt business, when the Committee decides that "publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings[1]". Non-Committee council members do not automatically have access to the HR Committee's confidential reports and/or papers.

## Chairman

The Council will elect a chair and vice chair at the annual meeting of the council.

## Conduct of Meetings

1. The committee will meet up to six times a year and all meetings will be held in accordance with the council's standing orders.
2. The committee shall carry out all matters in accordance with the council's Standing Orders and any other related policies.
3. All meetings of the committee will be minuted by the clerk or other appropriate staff member.
4. All minutes of the committee meetings will be provided to the Full Council.
5. Members of the press and public will be allowed to attend meetings and make representations in relation to advertised business items of the agenda in accordance with standing orders.
6. Where appropriate, meetings will go into exempt sessions and members of the public and press will be excluded.

[1] The Public Bodies (Admission to Meetings) Act 1960 s.1(2)

**Delegated Powers**

1. To have fully delegated powers under the Local Government Act 1972, section 101.
2. The committee shall have delegated powers to oversee personnel, employment, and recruitment matters of a strategic, formal or non-routine nature, with day-to-day staff management delegated to the Clerk as Proper Officer. Where necessary, reports and recommendations shall be made to the full council.
3. In the case of an emergency that will not wait until the next council meeting, the committee will have full powers to act on behalf of the council.
4. The committee will receive annual appraisals undertaken by the line manager (the Clerk's appraisal should be carried out by the Chair and the Chair of Council, or Vice Chair in case of absence, and the Clerk should carry out appraisals for all other staff members) and consider issues raised within them.
5. The committee has delegated authority to:
    - Advertise for, and recruit staff as directed by the council
    - Consider and make recommendations regarding the council's staffing structure
    - Review and approve job descriptions for all staff
    - Review and ensure all current employment legislation requirements are met
    - Review contract of employment template and Employee Handbook.
    - Determine the deployment, welfare, pension, remuneration, recruitment, training, qualifications, health and other aspects and conditions of service for all employees
    - Ensure relevant staff training is undertaken
    - Be responsible for the welfare of staff
    - Make recommendations regarding the establishment and grading of employees for the administration of the council and council facilities
    - Deal with formal disciplinary, grievance, capability and other significant employment matters including formal cases relating to conduct, performance, attendance, and sickness absence
    - Review and ensure compliance with health and safety law and matters
    - Any other personnel actions as directed by the council

**Reporting line**

The HR Committee reports to Council.

# Planning and Licensing Committee

## Purpose

The purpose of the Planning and Licensing Committee is to review planning and licensing applications to seek to ensure the character of the Parish is retained within any new development in the area. The Committee shall also review and respond to the Eastleigh Borough Council's Statement of Licensing Policy and Local Plan when released for consultation every five years.

## Membership

1. The committee shall comprise of at least five Council members with the option to co-opt one member of the public with voting rights, together with such substitute members as may be appointed by the Council in accordance with Standing Order 4(e)(v). A substitute member shall attend and have the same voting rights as the ordinary member they are replacing for that meeting
2. Members shall be appointed at the annual meeting of the council or, in the case of the resignation of a member(s), at an ordinary council meeting.
3. The co-opted member of the public shall be appointed by Full Council and shall serve for such period as determined by the Council.
4. Committee meetings shall be subject to a quorum of 3 voting members.
5. As per the Standing Orders, the Chair of Council has voting rights on the occasion of their attendance at committee.

## Chair

The Committee will elect a chair at the first meeting of the Committee, following the Annual Meeting of the Parish Council.
The Chair and Parish Clerk shall jointly have delegated authority to determine the classification of an application, where the appropriate route is unclear. Alternatively, the Chair may refer the matter directly to the Committee.

## Conduct of Meetings

1. The committee shall meet at least four times a year or as required in accordance with the Planning Applications Protocol. All meetings will be held in accordance with the council's standing orders.
2. The committee shall carry out all matters in accordance with the council's Standing Orders and any other related policies.
3. All meetings of the committee will be minuted by the Clerk or other appropriate staff member.
4. All minutes of the committee meetings will be provided to the Full Council.
5. Members of the press and public will be allowed to attend meetings and make representations in relation to advertised business items of the agenda in accordance with standing orders.
6. Subject to Standing Orders, Councillors who are not appointed members or substitute members of the Committee may attend but shall not have automatic voting rights. They may participate in the same manner as other members of the public, subject to Standing Orders and the discretion of the Chair of Committee.

**Delegated Powers**

To execute and perform the following functions :

1. To receive, consider and respond to planning applications and operational matters. In accordance with the Council's Planning Applications Protocol.
2. To consider matters relating to listed building consents, buildings of special architectural interest, historic buildings and conservation areas.
3. To identify, comment upon, and refer to the relevant authorities any matters considered to be in breach of planning permission.
4. To respond to all relevant consultation documents relating to planning and associated matters.
5. To consider and comment upon all other planning matters relating to the parish.
6. To consider and respond to licensing applications, and licensing consultations referred to the Council by the relevant licensing authority.
7. To review the Eastleigh Borough Council Local Plan and Statement of Licensing Policy when released for consultation and make recommendations to Full Council regarding the Council's response.
8. To prepare, review and maintain a Parish Council Planning Statement for consideration and approval by Full Council.
9. Planning applications which would otherwise be dealt with under delegated arrangements may be referred to the Planning Committee for consideration at the request of any Parish Councillor, through 'Call-In', in accordance with the Council's Planning Applications Protocol.

**Exclusions from Delegation**

The Committee may not act on the Council's behalf but instead must make recommendations to the Council in respect of the following matters:

1. any response to principal planning policy consultations, including the Local Plan, and
2. any functions specifically referred by statute to the whole Council.

**Reporting line**

The Planning and Licensing Committee reports to Council.

# Section 2 - Responsibilities delegated to Parish Clerk / Proper Officer / Responsible Finance Officer of the Council

## Parish Clerk / Proper Officer

The Parish Clerk is designated and authorised to act as Proper Officer of the Council 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 Proper Officer is authorised as per the current adopted Standing Orders of the Council (Standing Orders 15) and any other duly resolved and delegated lawful power by Full Council.

**Delegated Powers**

1. Manage all of the Council's services including:
    a. Fryern Funtasia or other such show or event.
    b. Parks and allotment sites.
    c. Facilities management including Fryern Pavilion and Hiltingbury Sportshall
    d. Websites and social media accounts relating to the Council and council activities.
    e. Day to day matters arising from room or facilities hire.
    f. Services agreed under contract for other authorities or bodies.
2. Manage, monitor and review the Council's Risk Assessment.
3. To oversee the discharge of the Council's responsibilities under the Health and Safety at Work Act 1974.
4. To oversee and administer contracts, service agreements and routine operational arrangement on behalf of the Council in accordance with approved budgets, Standing Orders and Financial Regulations.
5. To respond to complaints received via the general email account and to raise to Council those received via the Complaints Policy.
6. To authorise emergency repairs, works or expenditure necessary to protect Council property, ensure public safety, maintain service continuity or comply with statutory obligations, within available budgets, with such action to be reported to the next appropriate meeting.
7. To manage routine insurance matters, claims and incident reporting on behalf of the Council in consultation with the Council's insurers where necessary.
8. Manage and supervise Council staff, seeking professional advice from HR Consultant where necessary and to exercise delegated authority for day-to-day staffing and personnel matters, in accordance with adopted policies, procedures and budgets, ~~To manage the Council staff,~~ seeking professional advice from HR Consultant, when necessary, in accordance with policies, procedures and budget including -
    - staff performance,
    - initial discipline matters,
    - employment of temporary staff,
    - issuing of all contracts and handbooks,
    - expenses and mileage claims,
    - training,
    - provision of uniforms
    - annual leave, including the management of "Council Days"
    - payment of overtime.

Routine operational staffing matters shall not require prior referral to the HR Committee unless required by law, Council policy, Financial Regulations, or where matters relate to formal disciplinary, grievance, capability, organisational structure or other significant employment issues.

9. To submit comments, on behalf of Council, to the Planning Authority in line with agreed responses to individual planning applications.
10. To correspond and liaise with local authorities, statutory bodies, partner organisations and residents on operational matters relating to Council services and facilities.
11. To act as signatory on financial accounts and nominated account holder for supplier accounts in line with Council's Standing Orders and Financial Regulations.

## Responsible Financial Officer (RFO)

The Proper Officer of the Council is also employed and empowered to act as the Responsible Financial Officer to the Council as required by statute (LGA 1972 s151) and to uphold the Adopted Financial Regulations of the Council and other statutory financial instruments.

The Proper Officer/Responsible Financial Officer is authorised to carry out duties in accordance with the adopted Standing Orders (Standing Orders 16, 17 and 18) and the adopted Financial Regulations of the Council and any other duty imposed by statute.

**Delegated Powers**

1. To operate Council's banking arrangements including management of accounting software.
2. Authorise action for recovery of debts and to write off debts up to the level set by the Council.
3. Determine Council's insurance requirements and make necessary arrangements.
4. Make necessary arrangements for the provision of an internal and external audit service for the Council.
5. Accept quotations or tenders for work suppliers or services within the limits required within the Council's Financial Regulations.
6. Manage the budget and reporting to Council along with the preparation of the draft budget for each year pending.
7. Prepare the final accounts for each financial year including Annual Return.
8. Carry out virement of sums between cost centres in accordance with Council's Financial Regulations.
9. To transfer funds, as appropriate, between Council's bank accounts to maintain adequate cash flow and to optimise return on investments.
10. To seek and apply for external grant funding, on behalf of the Council, where the grant conditions are consistent with the Council's approved policies, Strategic Plan and budgetary framework.