



ELSENHAM PARISH COUNCIL

TERMS OF REFERENCE

OF COMMITTEES

& WORKING GROUPS

Document Control

Approved on behalf of the Parish Council

01 August 2022

Change History

Version:	Date:	Reason for change:
Issue 1	02 July 2018	
Issue 2	April 2019	
Issue 3	03 Feb 2020	<ul style="list-style-type: none"> • Added Communications Committee ToR. • Added an Expenditure Budget limit for Planning Committee.
Issue 4	11 May 2020	<ul style="list-style-type: none"> • EROWOS increased number of committee members.
Issue 5	05 July 2021	<ul style="list-style-type: none"> • Playing Field Committee increase number of committee members. • Addition of the play area on Isabel Drive.
Issue 6	07 Feb 2022	<ul style="list-style-type: none"> • Clarity on Chairing of Committees in regard to Non-Councillor (co-opted) members. • EROWOS to take responsibility for the annual maintenance of hedges on Council land. • Updating status of Related Documents (Section 8).
Issue 7	01 Aug 2022	<ul style="list-style-type: none"> • Add Allotments Committee terms of reference (following agreement to raise allotments from a working group to a committee). • Add text to Finance and Playing Field and committees regarding need to review annually, the Council's fees and charges. • Add text to Communication committee to review annually, the performance and costs of external website support.

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Considerations Relating to All Committees (& Sub-Committees)

1. Introduction

- a) The Parish Council has appointed a number of Standing and/or Ad Hoc Committees to carry out certain of the Council's functions through the adoption of delegated authority.

The Standing committees are :

- Finance Committee
- Planning Committee
- Playing Field Committee
- Rights of Way & Open Spaces Committee
- Flowerbeds Committee
- Communications Committee
- Allotments Committee

The Ad Hoc committees are :

- Personnel Committee
- Complaints Committee

- b) Committees (and sub-committees) that are appointed to discharge the functions of the Council must include at least one councillor (section 102(3) of the Local Government Act 1972) ('the 1972 Act').

2. General Responsibilities

- a) All meetings of committees shall be open to the Public and the Press, unless the confidential nature of the business or special reasons necessitates their exclusion. (See section 7 – Public and Press) below.
- b) Notification of each meeting shall be posted on the Parish Notice Boards at least three (3) full days before the date of the meeting.
- c) A committee shall at all times consider its duty to Best Value, Equal Opportunities (race, religion, gender, sexual orientation, marital status and any disability), Crime and Disorder, Health and Safety and Human Rights.
- d) A committee shall have the power to appoint sub-committees, working parties (or advisory groups) for specific purposes who shall report back to the committee.
- e) Each committee shall have its own Terms of Reference (ToR) and shall be able to take decisions within the limits given within those terms of reference. Any matter falling beyond those limits shall be referred to Full Council for consideration and action.
- f) On any occasion where the chairman of a committee determines that a matter falls outside of the committee's delegated powers and/or terms of reference, then that matter shall be referred to Full Council for consideration and action.
- g) Each committee shall satisfy itself of the continuing relevance of its Terms of Reference and shall, at its first meeting of the civic year, review its terms of reference. Where a committee considers changes to its terms of reference are necessary, then a recommendation shall be made to Full Council for the acceptance and adoption of the proposed changes.
- h) All committees and their Terms of Reference shall take into account the priorities defined within any of the Council's policies, procedures and working practices.

- i) To make regular reports to the Parish Council regarding the committee's business and other related matters.
- j) Liaise with the other committees in order to co-ordinate resources and financial expenditure, particularly where interests and responsibilities overlap.
- k) If a committee considers that a matter under its consideration is of significant importance to the Parish, the committee may refer the matter to the next Full Council Meeting of Elsenham Parish Council in order that the matter may be fully debated and resolved by all Parish Councillors.
- l) The committee shall allow members of the Public to address the committee meeting on matters relating to the committee's responsibilities and to items on the agenda. Members of the public may speak for three (3) minutes in accordance with the Council's Standing Orders and only before the committee has begun its own deliberations. If required, the committee members may seek clarification from the public within the debate.

3. Membership

- a) The Chairman and Vice-Chairman of the Parish Council shall be ex-officio members of all committees, sub-committees and working/advisory groups and shall have voting rights in accordance with the Council's Standing Orders.
- b) Members of committees shall be established at the Annual meeting of the Parish Council. Non-councillor members may also be established as co-opted members at the Annual Parish Council meeting. (See section 4 below).
- c) The chairman of each of the Council's standing committees shall be appointed by Full Council at the Annual Parish Council Meeting, in accordance with the Council's Standing Orders. In regard to co-opted (non-councillor) members, see section 4 below.
- d) Any vacancy for a Council member or non-councillor member of a committee may be filled by the Parish Council at one of its Council meetings.
- e) All members (including non-councillor, co-opted members) of committees shall preserve the confidentiality of discussions held at meetings.
- f) The councillor's Code of Conduct shall apply to all members of a committee. The conduct of all committee meetings (declaration of interests, debate, voting, etc.) shall be governed by the Council's Standing Orders.

4. Non-Councillor Members of Committees and Voting Rights

- a) Non-councillor members may be appointed to a committee (or sub-committee) because they can offer specialist knowledge, expertise, or enthusiasm in the work of the committee (or sub-committee).
N.B. s.102(3) of the 1972 Act excludes non-councillors being appointed to a committee for regulating and controlling the finance of the Council, e.g. the Finance Committee.
- b) Non-councillor members of a committee (or sub-committee) are subject to the Council's Code of Conduct if they are entitled to vote on any question which falls to be decided at any meeting of the committee or sub-committee.

- c) Non-councillor members of committees shall comply with the Council's Standing Orders and shall preserve the confidentiality of discussions held at meetings in the same way as Council members of the committee.
- d) By virtue of s.13(1) and (7) of the Local Government and Housing Act 1989 ('the 1989 Act'), non-councillor members of committees and sub-committees (generally) do not have voting rights. However, there are exceptions to this rule.¹ For Elsenham Parish Council, such non-councillor co-opted members shall have voting rights for committees with responsibilities for the management of land owned or occupied by the Council - as permitted under Regulation 3 of The Parish and Community Councils (Committees) Regulations 1990 (SI 1990/2476).

N.B. The term "management" does not include making decisions about the total amount of money which may be spent by the Council in a financial year in respect of land.

- e) Non-councillor co-opted members may only be appointed as a chairman of a committee or sub-committee that permits non-councillor members to have voting rights; see 4(d) above.

5. Sub-Committees and Working Groups (and Advisory Groups)

- a) A committee may appoint a sub-committee or working group (and appoint advisers as and when necessary, to assist in its work) and shall determine:
 - The number of its members;
 - The terms of office of those members; and
 - The area(s) of responsibility within which it is to exercise its authority.
- b) Members of all sub-committees and working groups shall preserve the confidentiality of discussions held at meetings.

6. Records

- a) All meetings should be attended by the Clerk unless otherwise agreed. Where the Clerk is not in attendance, a member present shall be elected to take the minutes of the meeting.
- b) Proper minutes of meetings shall be taken and other records kept.

7. Public and Press

- a) In accordance with the Council's Standing Orders, members of the public and press may be excluded from parts, or the whole of a committee meeting, namely '*by reason of the confidential nature of the business to be transacted or for other special reasons*'. Public Bodies (Admission to Meetings) Act 1960 s.1(2) refers.

8. Related Documents

- i) Elsenham Parish Council Standing Orders
- ii) Elsenham Parish Council Financial Regulations

¹ Members of advisory committees and sub-committees, ss.13(3) and (4)(e) of the 1989 Act.
The management of land owned or occupied by the council.
The functions of the council as a harbour authority (as defined in s.57(1) of the Harbours Act 1964.
Any function under s.144 of the 1972 Act relating to the promotion of tourism.
Any function under s.145 of the 1972 Act relating to the management of a festival.

iii) Elsenham Parish Council policies and procedures documents.

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## Finance Committee

### 1. Introduction

- a) The Finance Committee is constituted as a Standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.

### 2. Membership

- a) Membership shall comprise up to five (5) Council members.
- b) The Finance Committee shall not co-opt non-councillor members onto the committee; as detailed in s.102(3) of the Local Government Act 1972, namely that '*a committee for regulating and controlling the finance of the local authority or of their area ....*'.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

### 3. Frequency of Meetings

- a) Meetings shall be held at least quarterly during each civic year, at appropriate times and dependent upon financial matters received and/or any other relevant matters.

### 4. Delegated Authority and Powers

In accordance with the Council's Policies, Procedures and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers:

- a) Review the Financial Regulations and make recommendations to Full Council.
- b) Review and approve financial risk.
- c) Agree financial transactions in accordance with the Financial Regulations.
- d) Monitor financial progress of the Council's expenditure.
- e) Monitor payments made on behalf of the Council.
- f) Consider and take appropriate action on all reports arising from both internal and external auditors.
- g) Ensure, in conjunction with the Clerk/Financial Officer that an adequate and effective system of internal control is in place to secure the integrity of finances.
- h) Review quarterly, the income and expenditure of all budgets.
- i) Consider budget proposals from the Clerk and/or RFO and the other Parish Council committees and agree upon an overall budget and precept requirement for the next civic year, subject to the approval of Full Council.
- j) Ensure, in conjunction with Clerk and/or RFO that the Parish Council maintains adequate levels of insurance cover.
- k) Provide advice and guidance to other committees and to the Full Council on all aspects of financial management, and liaise with the committees to co-ordinate and prioritise financial resources and expenditure.

- l) Management of the grass cutting and ground maintenance services contracts and contractors.
- m) Review annually, the Council's cemetery fees and charges and recommend any changes for consideration by the Council.
- n) Monitor, review and report on the Council's financial performance; in particular, ensuring that the Council continues to obtain 'best value for money' in all its financial transactions<sup>2</sup>.
- o) Review annually, the Council's financial policies and annual investment strategy and recommend any changes for consideration by the Council.

5. Finance & Budget

- a) No annual expenditure budget is allocated to the Finance Committee.
- b) Any recommendations and/or requests of expenditure made by the committee shall be submitted to a meeting of the Parish Council for its consideration and approval.

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² Elsenham Financial Regulations, Section 10, para. 10.3.

Planning Committee

1. Introduction

- a) The Planning Committee is constituted as a Standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.

2. Membership

- a) Membership shall comprise up to five (5) Council members and up to two (2) co-opted members.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
 - (i) Such co-opted non-councillor members shall not have voting rights.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

3. Frequency of Meetings

- a) Meetings shall be held regularly during each year, at appropriate times and dependent upon planning applications received and/or any other relevant matters.

4. Delegated Authority and Powers

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers :

- a) Consider and respond to planning applications and development control matters received from the Local Planning authorities.
- b) Consider all matters relating to Listed Building consents, buildings of special interest, historic buildings and buildings in the conservation area, Local development framework, Tree Preservation Orders, Street naming and numbering, Licencing, Traffic issues and Highways Parking Orders.
- c) Examine and make recommendations to the Council on all traffic issues, and new highway facilities, which affect the Parish, (and which are the responsibility of Essex County Council), but with the exception of highways maintenance matters.
- d) Identify, comment upon, and refer to the relevant authorities, any matters considered to be in breach of planning permission.
- e) Where an application is subject to a planning appeal, the committee is authorised to make written representations, and/or to elect a member or members of the committee to attend the hearing or inquiry to present the Council's views to the Planning Inspector.
- f) Comment upon and monitor Tree Preservation Orders, and to seek approval for further TPOs, if deemed necessary.
- g) Respond to all relevant consultation documents relating to planning and associated matters.

- h) Call public meetings, where considered appropriate, in order to advise and consult with local residents regarding major and/or important planning applications and other planning related matters.
- i) Represent the Parish Council in planning/development control matters at all site meetings, panel hearings or other relevant planning/development related meetings.

5. Finance & Budget

- a) An annual expenditure budget is allocated to the Planning Committee for the purposes of the commissioning the relevant consultancy services to assist with planning applications, planning appeals and other related planning activities.
- b) For any expenditure that will cause the annual expenditure budget to be exceeded, the committee shall submit recommendations and/or requests for excess expenditure to a meeting of the Parish Council for its consideration and approval.

6. Capital Cost Projects

- a) It is not anticipated that the Planning Committee will under normal circumstances, have responsibility for any capital cost projects. However, in instances where a specific capital cost project arises and where its budget has been approved by Full Council, the committee shall have the delegated responsibility for managing the project and its budget, in conjunction with the Clerk and/or RFO.
- b) The committee shall make regular reports to the Parish Council regarding any allocated capital cost projects, their ongoing management and budget.
- c) The committee shall also liaise with the Finance Committee (either directly or through the Clerk and/or RFO) in regard to the ongoing expenditure of capital cost projects.

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## **Playing Field Committee**

### **1. Introduction**

- a) The Playing Field Committee is constituted as a standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.

### **2. Membership**

- a) Membership shall comprise up to six (6) Council members and up to two (2) co-opted members.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
  - (i) Such non-councillor co-opted members shall have voting rights, as permitted under Regulation 3 of The Parish and Community Councils (Committees) Regulations 1990 (SI 1990/2476) – namely, the management of land owned or occupied by the Council.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

### **3. Frequency of Meetings**

- a) Meetings shall be held at least quarterly during each civic year, at appropriate times and dependent upon playing field matters received and/or any other relevant matters.

### **4. Delegated Authority and Powers**

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers;

- a) Be responsible for compiling the committee's annual budget.
- b) Present and obtain approval for its annual budget from Full Council.
- c) Determine and approve expenditure associated with the ongoing maintenance and upkeep of the Playing Field and children's play area within the limits of the committee's approved annual budget.
- d) Determine and approve expenditure associated with the ongoing maintenance and upkeep of the play area on the corner of Isabel Drive, within the limits of the committee's approved annual budget.
- e) In conjunction with the Clerk and/or RFO to monitor the functions, income and expenditure of the committee.
- f) Assess and budget for future maintenance, replacement or upgrading of items for which it is responsible.
- g) In accordance with Council policy and operating with the Clerk and/or RFO, the committee has responsibility for all matters relating to the Playing Field and its maintenance and upkeep.

- h) Monitor and manage all aspects of the work performed by the Contractor(s) and to advise the Clerk and/or RFO that the work/contract has been completed to the required standards.
- i) Ensure facilities are fully utilised and properly managed.
- j) Be responsible for the production of written scopes of work against which quotations from contractors may be obtained for any necessary installations, maintenance, or other works required to be carried.
- k) Provide advice and guidance to other committees and to the Full Council on all aspects of the Playing Field, its financial management, and to liaise with the other committees in order to co-ordinate resources and financial expenditure, particularly where interests and responsibilities coincide.
- l) Review annually, the scale of fees/charges and conditions for the use and hire of the Playing Field and recommend any changes for consideration by the Council.

5. Finance & Budget

- a) An annual expenditure budget is allocated to the Playing Field Committee for the purposes of the maintenance and upkeep of the Playing Field and its various equipment, fixtures and fittings.
- b) For any expenditure that will cause the annual expenditure budget to be exceeded, the committee shall submit recommendations and/or requests for excess expenditure to a meeting of the Parish Council for its consideration and approval.

6. Capital Cost Projects

- a) In instances where a specific capital cost project arises and where its budget has been approved by Full Council, the committee shall have the delegated responsibility for managing the project and its budget, in conjunction with the Clerk and/or RFO.
- b) The committee shall make regular reports to the Parish Council regarding any allocated capital cost projects, their ongoing management and budget.
- c) The committee shall also liaise with the Finance Committee (either directly, or through the Clerk and/or RFO) regarding the ongoing expenditure of capital cost projects.

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Rights of Way & Open Spaces (RoWOS) Committee

1. Introduction

- a) The Rights of Way & Open Spaces Committee is constituted as a standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.

2. Membership

- a) Membership shall comprise up to six (6) Council members and up to six (6) co-opted members.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
 - (i) Such non-councillor co-opted members shall have voting rights, as permitted under Regulation 3 of The Parish and Community Councils (Committees) Regulations 1990 (SI 1990/2476) – namely, the management of land owned or occupied by the Council.
- c) Three (3) members of the committee shall constitute a quorum for meetings, of which at least one (1) shall be a Council member. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

3. Frequency of Meetings

- a) Meetings shall be held regularly during each civic year, at appropriate times and dependent upon rights of way and open spaces matters received and/or any other relevant matters.

4. Delegated Authority and Powers

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers.

- a) Be responsible for all of the Public Rights of Way within the parish boundaries of Elsenham, together with the following areas of Open Space land:
 - The Spinney
 - Oziers Green
 - De Mandeville Green
 - Tye Green

N.B. Management of the grass cutting and its contract/contractor(s) within these Open Space areas shall form part of the responsibilities of the Finance Committee and its Sub-Committee(s) and Working Group(s).
- b) Be responsible for compiling the committee's annual budget.
- c) Present and obtain approval for its annual budget from Full Council.
- d) Determine and approve expenditure associated with the ongoing maintenance and upkeep of the Public Rights of Way and Open Spaces that fall within the committee's responsibilities and within the limits of the committee's approved annual budget.

- e) In conjunction with the Clerk and/or RFO, monitor the functions, income and expenditure of the committee.
- f) Assess and budget for future maintenance, replacement or upgrading of items for which it is responsible.
- g) In accordance with council policy and operating in conjunction with the Clerk and/or RFO, the committee has responsibility for all matters relating to the Public Rights of Way and the relevant Open Spaces and their maintenance and upkeep.
- h) Monitor and manage all aspects of the work performed by the Contractor(s) and to advise the Clerk and/or RFO that the work/contract has been completed to the required standards.
- i) Ensure facilities are fully utilised and properly managed.
- j) Be responsible for all hedges upon land within the ownership of the Council and for initiating the annual maintenance programme and obtain the necessary quotations for the required maintenance in accordance with the prepared schedule works.

5. Finance & Budget

- a) An annual expenditure budget is allocated to the Rights of Way & Open Spaces Committee for the purposes of the maintenance and upkeep of the Rights of Way and Open Spaces; their various equipment, fixtures and fittings.
- b) For any expenditure that will cause the annual expenditure budget to be exceeded, the committee shall submit recommendations and/or requests for excess expenditure to a meeting of the Parish Council for its consideration and approval.

6. Capital Cost Projects

- a) In instances where a specific capital cost project arises and where its budget has been approved by Full Council, the committee shall have the delegated responsibility for managing the project and its budget, in conjunction with the Clerk and/or RFO.
- b) The committee shall make regular reports to the Parish Council regarding any allocated capital cost projects, their ongoing management and budget.
- c) The committee shall also liaise with the Finance Committee (either directly or through the Clerk and/or RFO) in regard to the ongoing expenditure of capital cost projects.

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## **Flowerbeds Committee**

### **1. General**

- a) The Flowerbeds Committee is constituted as a Standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.

### **2. Membership**

- a) Membership shall comprise up to five (5) Council members and up to two (2) co-opted members.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
  - (i) Such non-councillor co-opted members shall have voting rights, as permitted under Regulation 3 of The Parish and Community Councils (Committees) Regulations 1990 (SI 1990/2476) – namely, the management of land owned or occupied by the Council.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

### **3. Frequency of Meetings**

- a) Meetings shall be held regularly during each civic year, at appropriate times and dependent upon the upkeep/maintenance of the flowerbeds and/or any other relevant matters.

### **4. Delegated Authority and Powers**

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers:

- a) Be responsible for compiling the committee's annual budget.
- b) Present and obtain approval for its annual budget from Full Council.
- c) Determine and approve expenditure associated with the ongoing maintenance and upkeep of the flower beds that fall within the committee's responsibilities and within the limits of the committee's approved annual budget.
- d) In conjunction with the Clerk and/or RFO, monitor the functions, income and expenditure of the committee.
- e) Assess and budget for future maintenance, replacement or upgrading of items for which it is responsible.
- f) In accordance with council policy and operating in conjunction with the Clerk and/or RFO, the committee has responsibility for all matters relating to the Flower Beds and their maintenance and upkeep.

- g) Monitor and manage all aspects of the work performed by the Contractor(s) and to advise the Clerk and/or RFO that the work/contract has been completed to the required standards.
- h) Ensure facilities are fully utilised and properly managed.
- i) Be responsible for the production of written scopes of work against which quotations from contractors may be obtained for any necessary installations, maintenance, or other works required to be carried.
- j) Represent the Parish Council regarding amenity-related matters at all site meetings, or other relevant and/or related meetings.
- k) The committee's remit and responsibilities extend to the provision and maintenance of the following:
  - (i) Flowerbeds throughout the village and Parish that have been established by the Parish Council as amenity features.
  - (ii) The Memorial Garden.

5. Finance & Budget

- a) An annual expenditure budget is allocated to the Flowerbeds Committee for the purposes of the maintenance and upkeep of the flowerbeds and the various equipment, fixtures and fittings.
- b) For any expenditure that will cause the annual expenditure budget to be exceeded, the committee shall submit recommendations and/or requests for excess expenditure to a meeting of the Parish Council for its consideration and approval.

6. Capital Cost Projects

- a) In instances where a specific capital cost project arises and where its budget has been approved by Full Council, the committee shall have the delegated responsibility for managing the project and its budget, in conjunction with the Clerk and/or RFO.
- b) The committee shall make regular reports to the Parish Council regarding any allocated capital cost projects, their ongoing management and budget.
- c) The committee shall also liaise with the Finance Committee (either directly or through the Clerk and/or RFO) in regard to the ongoing expenditure of capital cost projects.

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Personnel Committee

1. Introduction

- a) The Personnel Committee is constituted as an Ad Hoc committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.
- b) The Press and the Public may be excluded from the meetings of the Personnel Committee for reasons of confidentiality and the sensitive nature of the matters being considered.
- c) The decision of the Personnel Committee shall be final.

2. Membership

- a) Membership shall comprise up to four (4) Council members and up to one (1) co-opted member.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
 - (i) Such non-councillor co-opted members shall not have voting rights.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

3. Frequency of Meetings

- a) Meetings should be held at least once (1) during each civic year and at appropriate times and dependent upon matters relating to the Council's employees, their employment and/or any other relevant personnel matters.

4. Delegated Authority and Powers

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers :

- a) Subject to agreement by the Full Council, the committee shall hold delegated powers to deal with all personnel, employment and recruitment issues, with reports and recommendations made to full Council, as necessary.
- b) In cases of an urgent matter arising that will not wait until the next full Council meeting, the committee shall have full powers to act on behalf of the Council.
- c) Draw up and agree contracts of employment, job descriptions and person specifications for staff.
- d) Act on behalf of the Council in matters of staff disciplinary and grievance issues using the Council's adopted disciplinary/grievance procedures and to make reports to Full Council on these matters.
- e) Be responsible for ensuring that the Council's Disciplinary and Grievance Complaints Procedures are followed at all times.
- f) Carry out an annual appraisal/performance review of the Clerk (and other members of staff, as appropriate), consider issues raised by the review(s) and make a report to full

Council. One member of the committee (normally the chairman) shall carry out the annual appraisal/performance review.

- g) Annually review the Council's Disciplinary and Grievance policies and procedures and ensure that where changes in employment law, et al. occur; that these changes are incorporated into the relevant procedures, where necessary and appropriate. A recommendation shall then be made to Full Council for the acceptance and adoption of the proposed changes.
- h) Review periodically, the structure and number of staff employed by the Council and make recommendations to full Council.
- i) Review (at least annually) staff salaries, contracts of employment and job descriptions for all staff and make recommendations to full Council, as necessary.
- j) Undertake advertising for and the recruitment of staff and act as an interview panel on behalf of the Council. To make recommendations to Full Council as regards the employment of new staff.
- k) Review health and safety at work for all Council employees.
- l) Ensure the Council complies with all legislative requirements relating to the employment of staff.
- m) Carry out any other action relating to staff and employment, as directed by the Council.

5. Finance & Budget

- a) No annual expenditure budget is allocated to the Personnel Committee.
- b) Any recommendations and/or requests of expenditure made by the committee shall be submitted to a meeting of the Parish Council for its consideration and approval.

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## Complaints Committee

### 1. Introduction

- a) The Complaints Committee is constituted as a standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.
- b) The Press and the Public may be excluded from the meetings of the Complaints Committee for reasons of confidentiality and the sensitive nature of the matters being considered.
- c) The decision of the Complaints Committee shall be final.

### 2. Membership

- a) Membership shall comprise up to four (4) Council members and up to one (1) co-opted member.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
  - (i) Such non-councillor co-opted members shall not have voting rights.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

### 3. Frequency of Meetings

- a) Meetings should be held on an ad hoc basis, but at least once during each civic year, at times dependent upon formal complaints being received by the Council or its Clerk.

### 4. Delegated Authority and Powers

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers :

- a) Be responsible for the investigation of all formal written complaints received against Elsenham Parish Council as a corporate body, its employees or its contractors.

***NB.** Any formal complaints received against individual councillors in regard to possible breaches of the Members Code of Conduct shall be referred directly to the Monitoring Officer of Uttlesford District Council.*
- b) Ensure that the Council's Complaints Procedures are followed at all times, throughout the investigation of a complaint.
- c) Be responsible for deciding upon the nature of a complaint, i.e. whether the allegation(s) are a complaint relating to Elsenham Parish Council (wholly or partly), a complaint relating to an employee of the council (wholly or partly), or a complaint relating to a contractor of the council (wholly or partly).
- d) Be responsible for the preparation, collection and collation of evidence, the investigation of the complaint and reaching decisions in regard to any action(s) to be taken that arise from the investigation and decisions.

- e) Ensure that as soon as possible after the decision has been taken (and in any event not later than 10 days after the decision), the complainant will be notified in writing of the decision and any action(s) to be taken by the Council.
- f) Whilst maintaining confidentiality, the committee shall report all decisions and action(s) taken by the Complaints Committee to the next full meeting of Elsenham Parish Council.
- g) Review annually; the Council's complaints policies and procedures and ensure that where changes in law, et al. occur; these changes are incorporated into the procedures, where necessary and appropriate. A recommendation shall then be made to Full Council for the acceptance and adoption of the proposed changes.

5. Finance & Budget

- a) No annual expenditure budget is allocated to the Complaints Committee.
- b) Any recommendations and/or requests of expenditure made by the committee shall be submitted to a meeting of the Parish Council for its consideration and approval.

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Communications Committee

1. Introduction

- a) The Communications Committee is constituted as a standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.
- b) The Press and the Public may be excluded from the meetings of the Communications Committee for reasons of confidentiality and the sensitive nature of the matters being considered.
- c) The decision of the Communications Committee shall be final.

2. Membership

- a) Membership shall comprise up to 4 Council members and up to 2 co-opted member.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
 - (i) Such non-councillor co-opted members shall not have voting rights.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

3. Frequency of Meetings

- a) Meetings should be held on an ad hoc basis, but at least 4 during each civic year.

4. Delegated Authority and Powers

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers:

- a) Update and Maintain the website, content, structure, design and functionality.
- b) Set-up and manage the council's social media presence across different platforms. Have the authority to respond with stock answers and sign post to official channels.
- c) Responsible for the dissemination of information and notices by appropriate channels on and off line, with prior agreement by councillors and Clerk.
- d) Ensure all the above is in line with the agreed Communications Guidelines and Policy.
- e) Set-up and provide support for gov.uk email addresses.
- f) Ensure the domain name is renewed as and when required.
- g) To review annually, the operation, performance and costs of the external website support contract, and recommend any changes for consideration by the Council.

5. Finance & Budget

- a) An annual expenditure budget is allocated to the Communications Committee for the purposes of the maintenance and upkeep of the Council's website and other related communication activities.

- b) For any expenditure that will cause the annual expenditure budget to be exceeded, the committee shall submit recommendations and/or requests for excess expenditure to a meeting of the Parish Council for its consideration and approval.

6. Capital Cost Projects

- a) In instances where a specific capital cost project arises and where its budget has been approved by Full Council, the committee shall have the delegated responsibility for managing the project and its budget, in conjunction with the Clerk and/or RFO.
- b) The committee shall make regular reports to the Parish Council regarding any allocated capital cost projects, their ongoing management and budget.
- c) The committee shall also liaise with the Finance Committee (either directly or through the Clerk and/or RFO) in regard to the ongoing expenditure of capital cost projects.

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## Allotments Committee

### 1. Introduction

- a) The Allotments Committee is constituted as a standing committee of Elsenham Parish Council and shall hold delegated authority from the Parish Council, as defined in the Council's Standing Orders.
- b) The Press and the Public may be excluded from the meetings of the Allotments Committee for reasons of confidentiality and the sensitive nature of the matters being considered.
- c) The decision of the Allotments Committee shall be final.

### 2. Membership

- a) Membership shall comprise up to four (4) Council members and up to two (2) co-opted members.
- b) In addition to the Parish Council members, non-councillor members may be co-opted onto the committee during the year, if authorized by the Parish Council.
  - (i) Such non-councillor co-opted members shall have voting rights, as permitted under Regulation 3 of The Parish and Community Councils (Committees) Regulations 1990 (SI 1990/2476) – namely, the management of land owned or occupied by the Council.
- c) Three (3) Council members of the committee shall constitute a quorum for meetings. If the number of Council members present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting, or on such other day as the chairman of the committee may determine.

### 3. Frequency of Meetings

- a) Meetings shall be held regularly during each civic year, at appropriate times and dependent upon the management and upkeep/maintenance of the allotment sites, and/or any other relevant matters.

### 4. Delegated Authority and Powers

In accordance with the Council's Policies and Working Practices and operating at all times in conjunction with the Clerk and/or RFO, the committee shall have the following authority and delegated powers:

- a) Undertake the management of all aspects of the Council's Allotment sites at St. Mary's Church and Smith Road.
- b) Liaise with allotment holders; and if established, any allotment associations that are formed by allotment holders at St. Mary's Church and/or Smith Road.
- c) Adjudicate any complaint/s or dispute/s, in relation to the allotments and or plot holders.
- d) Review annually, the terms of the respective St. Mary Church and Smith Road Allotment Agreements<sup>3</sup> and recommend any changes to the Full Council for consideration and adoption.

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<sup>3</sup> The St. Mary's Church allotments are classed as 'Private Allotments', i.e. located on land that is owned by a third-party, namely the Church of England, but under the management of Elsenham Parish Council, on behalf of the

- e) Review annually, the Council's Allotments Policy and Procedures, Allotments Conditions of Use and Tenancy and other associated documents, and recommend any changes to the Full Council for consideration and adoption.
- f) Review annually, the allotment fees and charges and recommend any changes for consideration by the Council. It should be noted that it is a statutory obligation that all plot holders are informed of any amendments to the fees and charges, the Council being required to give a minimum notice period of six months, prior to any new fees and charges coming into effect. Currently, the date for the allotment holders' annual payment of fees and charges is 1st October.
- g) Maintain a schedule of all the plot holders and any vacant plots.
- h) Maintain a waiting list of potential plot holders, in accordance with the Allotments Policy and Procedures.
- i) Carry out and/or oversee regular (monthly) inspections of the allotment sites and plots.
- j) Follow good practice in relation to health and safety matters, and prepare, maintain, manage and review annually, appropriate risk assessments for each of the individual allotment sites.
- k) Determine, as the land agent, requests for consents from plot holders or, for the special allocation of an allotment plot, provided that such consent is within the terms of the Council's Allotment Policies and is within the authority of the Council to grant such consent.
- l) Consider other such requests from plot holders, or interested parties, in relation to allotments, which fall outside the scope of the Committee's Terms of Reference in order to determine if a recommendation should be made for consideration of the matter by the Council.

#### 5. Finance & Budget

- a) An annual expenditure budget is allocated to the Allotments Committee for the purposes of the maintenance and upkeep of the Council's allotment sites.
- b) For any expenditure that will cause the committee's annual expenditure budget to be exceeded, the committee shall submit recommendations and/or requests for excess expenditure to a meeting of the Parish Council for its consideration and approval.

#### 6. Capital Cost Projects

- a) In instances where a specific capital cost project arises and where its budget has been approved by Full Council, the committee shall have the delegated responsibility for managing the project and its budget, in conjunction with the Clerk and/or RFO.
- b) The committee shall make regular reports to the Parish Council regarding any allocated capital cost projects, their ongoing management and budget.
- c) The committee shall also liaise with the Finance Committee (either directly or through the Clerk and/or RFO) in regard to the ongoing expenditure of capital cost projects.

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Elsenham Parochial Church Council. The Smith Road allotments are classed as 'Statutory Allotments' i.e. located on land owned and managed by Elsenham Parish Council.

Cemetery & Chapel Working Group

- A. The Cemetery & Chapel Working Group is constituted as an ad hoc working group of Elsenham Parish Council and reports directly to the Parish Council.

Grass Cutting Contract(s) Working Group [future Sub-Committee]

- B. The Grass Cutting Contract(s) Working Group is constituted as an ad hoc working group of Elsenham Parish Council and reports directly to the Finance Committee.

Emergency Working Group

- C. The Emergency Working Group is constituted as an ad hoc working group of Elsenham Parish Council and reports directly to the Parish Council.

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