

YAXLEY PARISH COUNCIL

TERMS OF REFERENCE

COMMUNITY FACILITIES COMMITTEE

APRIL 2016
Reviewed FEBRUARY 2019 Approved April 2019
Reviewed March 2022 - Approved April 2022

DELEGATED POWERS

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

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

POWERS SPECIFICALLY DELEGATED TO THE CLERK

- 1.0** Authorising expenditure on items where the Council, or the appropriate Committee under delegated powers, within a budget approved by the Council, has agreed the expenditure.
- 2.0** Investing monies held by the Council with a view to obtaining the best rates of interest, provided that the monies are invested through the Council's appointed bankers, the Post Office or a reputable building society.
- 3.0** The power to act as the Council's "Proper Officer" in all cases where any legislation requires the appointment of such an officer.
- 4.0** To act as the Responsible Officer for Health and Safety, and as the Council's Proper Officer in all cases where legislation so requires.

PUBLIC AND PRESS

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

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

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

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

- 1.0** To discuss terms of service, or to discuss the conduct and dismissal of a member of staff
- 2.0** Terms and proposals and counter proposals in negotiating contracts
- 3.0** Preparation for legal proceedings
- 4.0** The early stages of a dispute
- 5.0** The early stages of agreeing tender/quotation details
- 6.0** The approval of tender/quotation details
- 7.0** To discuss a matter of commercial sensitivity

COMMUNITY FACILITIES COMMITTEE

Terms of Reference

- 1.0** Membership shall comprise **ten** members of the Council.
- 2.0** **Four** Members of the Council shall constitute a quorum.
- 3.0** To elect a Chairman and Vice Chairman for each Municipal year.
- 4.0** The Committee will place before the Parish Council annual estimates of expenditure relating to matters within its responsibility.
- 5.0** The Committee shall advise the Council of the uses of land under the Council control or responsibility for parks, cemeteries and open spaces, recreational and other activities.
- 6.0** The Committee shall advise the Council on the purchase of land for the purposes of leisure and recreational activities.

Delegation of Power

1.0 To the Committee

- 1.1** To act in respect of all matters within the purview of the Committee including the incurring of expenditure which has been approved by the Parish Council in the Annual Estimates.
- 1.2** To agree the usage of the Councils' parks and open spaces.
- 1.3** To agree the purchase of major items of plant and equipment for use in the parks, cemeteries and open spaces within generally approved budgets where not already identified.
- 1.4** To agree the level of charges in respect of the Council's cemeteries, allotments, football pitches, 3G pitch and other outdoor spaces managed by the Council.
- 1.5** To agree the Exhumation Orders.
- 1.6** To agree and maintain the Cemetery Regulations and Allotment Tenancy agreements.
- 1.7** To act in all matters relating to Council owned trees excluding approval of the Tree Policy.

2.0 To the Chairman and Vice Chairman –

- 2.1** Those matters referred to in paragraph 1.2 above.
- 2.2** Under most circumstances item 1.5 will be authorised jointly by the Chairman and Vice Chairman in consultation with the Clerk.
- 2.3** Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee in conjunction with the Clerk and at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.