



RAYNE PARISH COUNCIL

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Rayne Parish Council – Scheme of Delegation

Adopted 4th May 2021

1.0 Introduction

- 1.1 This document sets out the manner in which Rayne Parish Council has delegated its powers.
- 1.2 The Scheme of Delegation (s101 of the 1972 LGA), provides for delegating authority to the Clerk and its committees for making decisions on behalf of the council as and when appropriate. S101 requires formally agreed Terms of Reference by the Council. It needs to be based in Terms of Reference that sets out the key themes of the delegation and the financial thresholds that apply.

Section 101 of the Local Government Act 1972 provides:

- That a Council may delegate its powers (except those incapable of delegation) to a committee or an officer.
- A Committee may delegate its powers to an officer.
- The delegating body may exercise Powers that have been delegated.

Any delegation to the Proper Officer or committee shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law

- 1.3 It is desirable that in the interests of certainty in decision making and to avoid lengthy discussions in Council meetings, Standing Orders should discourage, so far as is legally possible, action being taken by the Council after the matter has been 'decided' by a Committee, or Sub-committee. If the Council feel, however, that action is necessary then normally it should refer the matter back to the Committee concerned (Standing Order 10 a. iv).
- 1.4 The intention of the delegation scheme is that the Council should act with all reasonable speed. Decisions should be taken at the most suitable level and that officers are given power over the day to day administration of the Council.

2.0 Proper Officer and Responsible Financial Officer – Delegation of Power

- 2.1 The Clerk to the Council is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.
- 2.2 The Clerk to the Council is designated and authorised to act as the Responsible Financial Officer (RFO) for the purposes of any statute requiring the designation of a Responsible Financial Officer. Local Government Act 1972 s151.
- 2.3 The Clerk to the Council, usually known as the Parish Clerk, is employed by the council under section 112 of the Local Government Act 1972 for the proper discharge of its functions.
- 2.4 The Clerk to the Council shall do the following;
- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least before the commencement of the meeting confirming his withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. hold acceptance of office forms from councillors;
 - vii. hold a copy of every councillor's register of interests;
 - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - ix. liaise, as appropriate, with the Council's Data Protection Officer;
 - x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other

- legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
 - xiv. record every planning application notified to the Council and the Council's response to the local planning authority in full council minutes;
 - xv. refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman (if there is one) of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;
 - xvi. manage access to information about the Council via the publication scheme; and
 - xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.

2.5 The Clerk to the Council is authorised as follows:

- i. to arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- ii. to incur expenditure up to limit set in the Financial Regulations.
- iii. to incur expenditure on behalf of the Council which is necessary to procure services, carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit set in Financial Regulations. The Clerk to the Council shall report the action to the council as soon as practicable thereafter.
- iv. to authorise for payment, staff salaries and expenses in line with council policy.
- v. to prepare VAT reclaim on behalf of the council.
- vi. to take proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
- vii. to issue invoices on behalf of the council.
- viii. to carry out duties in line with the responsibilities of RFO.
- ix. to carry out duties in accordance with the Financial Regulations of the parish council and the Audit and Accounting and Governance regulations.
- x. to use promotions to encourage increased usage and overall income of the councils facilities or activities
- xi. to keep all land and property under review and take such emergency action as may be necessary for the protection of the public or the Council's property
- xii. to order goods, works and services as per Financial regulations

2.6 The Clerk to the Council is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council and the relevant committee or sub-committee. The Chairman of the Council or Chairman of the appropriate Committee shall be informed as soon as practically possible of any action taken by the Clerk to the Council.

2.7 Any delegation to the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law.

The Proper Officer may nominate another named Officer to carry out any powers and duties, which have been, delegated to that Officer.

In an emergency the Proper Officer is empowered to carry out any function of the Council.

Where officers are contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult a minimum of two Members, and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

The following items may not be delegated to the Clerk:

- To appoint the Chairman and Vice-Chairman in May each year
- To sign off the Governance Statement by 30th June each year
- To set the precept
- To appoint the Head of Paid Service (Clerk)
- To make byelaws
- To borrow money
- To consider any matter required by law to be considered by Council.

To the Proper Officer LGA 1972 s101

The Council's Scheme of Delegation authorises the Clerk to the Council to act with delegated authority in the specific circumstances detailed:

To take action:

- a. To take action on any issue that cannot wait until the next Parish Council meeting; as a temporary measure the Proper Officer is empowered to take any and all decisions that would normally be taken by Full Council, or a committee or a working group, having consulted a minimum of two Members. Consultation may be by email or by telephone or by virtual meeting, followed by a confirmation email.
- b. If circumstances do not permit the input of at least two councillors, the Clerk would normally be expected to consult the Chairman or Vice Chairman if the Chairman is unavailable and take his/her view into account.

Financial thresholds:

- c. To authorise expenditure on items where the Council has previously approved the budget to a maximum of £3,000 per transaction having consulted a minimum of two Members and the Chairman, or to a higher level where the Council has agreed & minuted the expenditure at a prior meeting. Additionally, these Members should be independent of the two Members who will authorise the payments within the online banking system. For the avoidance of doubt, this includes any payments that will be overdue before the next scheduled Council Meeting or where discounts may be lost to the Council; to include normal salaries and all items specifically budgeted for, contracted for or expenditure previously agreed by Council at a meeting.
- d. To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work or essential project which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000.00 per transaction, having consulted the Chairman and taken on board their views.
- e. To take any action regarding minor repairs or purchases (up to a cost of £500.00 per transaction) having consulted the Chairman and taken on board their views.

Planning Matters:

- f. Planning applications will be received by the Clerk and responses determined by the Clerk following consultation with a minimum of two Members who are currently members of the Planning Committee.
- g. The Planning Committee delegate authority to the Clerk to request any application be referred to Braintree District Council Planning Committee for decision.

Delegation Limitations, Record keeping & Reporting:

- h. In the absence of the Proper Officer for longer than 3 working days, the Responsible Finance Officer may adopt these delegated powers to facilitate the ongoing business of the Council.
- i. Records will be kept demonstrating a clear trail (particularly around decision making in any form).
- j. All decisions will be reported at the next available Full Council Meeting.
- k. Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Council from time to time and this Scheme of Delegation, and where applicable any other rules/regulations and legislation.

3.0 Committees

- 3.1 Committees are delegated powers to act within their Terms of Reference. This means that on all matters not reserved for consideration by another Committee, or by the full Council,

Committees can RESOLVE and thereafter action can normally be taken by officers, however certain matters cannot legally be delegated and others, such as deciding major policy are reserved by the Council to itself. On such matters, committees can only RECOMMEND a course of action and, in these cases, officers cannot normally carry out the instructions of the committees until the recommendation has been approved by the Council.

- 3.2 Should members wish to raise any question concerning the exercise of delegated or other powers, then they should contact the appropriate committee chairman or the Clerk to the Council, and if necessary the matter can be raised subsequently at committee.
- 3.3 Members are entitled to attend all committees and sub-committees whether or not they are members of the committee, although no voting rights or right to participate in discussions or proceedings are granted.

4.0 General arrangements for delegation of powers - Committees

4.1 Applicable to all committees of the Council

- a. the Council had delegated to every committee of the Council full powers to act in all matters covered by the committee's Terms of Reference subject to:
 - i. the provisions of any Standing Order or Financial Regulation for the time being in force, except where such Order or Regulation has been specifically waived by resolution of the Council.
 - ii. prior Council approval of annual capital and revenue estimates
 - iii. any scheme requiring application for consent to borrow having first been approved by Council, and loan sanction secured.
 - iv. when matters of major policy are involved, the existence of a policy approved by the Council. In the absence of such policy, Committees and Sub-committees may consider the matter and make recommendations to the Council. Major policy will arise either:
 - a on matters of major importance which have not previously been before the Council; or
 - b matters which have arisen in other Committees or Sub-committees but which cannot be resolved by them in the absence of settled Council policy; or
 - c in cases of doubt where a major policy is involved, the Chairman of the Council or the Chairman of any other Committee or Sub-committee, or in their absence the appropriate Vice-Chairman may, before a decision is taken by the committee or sub-committee, state that a matter of major policy is involved.
 - v. prior Council approval to recommendations for the allocation of duties, powers and guidelines to committees.
- b. the exercise by committees of the above powers shall be without derogation to the powers of the Council to call for a report on any committee decision.

- c. every committee shall have power to authorise an officer, after consultation with the Chairman of the Committee, to take decisions on specific urgent matters falling within its own Terms of Reference as it sees fit.
 - d. Notwithstanding the powers delegated to committees, the Council retain the right to exercise such powers when necessary.
- 4.2 The following matters that are reserved for the full Council and may not be delegated to a committee:
- the adoption of Standing Orders and Financial Regulations
 - the appointment of permanent representatives to outside bodies
 - the making of bye-laws
 - the dismissal of officers
 - the setting of the annual budget and precept
 - the approval of final accounts and statutory return
 - the noting the report of the Internal Auditor

5.0 Terms of reference and delegated authority – Finance Committee

The Finance Committee is a Standing Committee of Rayne Parish Council.

Membership of the Finance Committee shall consist of at least 5 core voting members of Rayne Parish Council, membership includes the Chair and Vice Chair of the Council who are ex officio members plus three further Councillors. All council members are encouraged to attend committee meetings.

- Three members of the Finance Committee will constitute a quorum.
- A Chairman is to be elected annually by the Full Council at the Annual Council Meeting of Rayne Parish Council and shall hold office until the next Annual Council Meeting as per the Standing Orders.
- Should any elected member, including the Chairman and Vice-Chairman, resign, a new member of the committee will be appointed at the next full council meeting and this will be noted in the minutes of the next full council meeting.
- Only members of the committee may vote and participate at a meeting. In the case of an equal vote the Chairman shall have a casting vote.
- If a member has a personal interest as defined by the Code of Conduct adopted by the Parish Council, then s/he shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of the interest as required.

NB If a member who has declared an interest, then considers the interest to be prejudicial, s/he must withdraw from the room during the consideration of the agenda item to which the interest relates.

The Standing Orders on the rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interest of members in contracts and other matters shall apply to committee and sub-committee meetings.

If the number of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum the meeting shall be adjourned, and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman shall arrange.

RESPONSIBILITIES

To work with the Responsible Financial Officer (RFO) in the management of the Council's financial resources and to consider and recommend strategy and action on policy and operational matters concerned with Council's finances, property, and resources.

The Finance Committee will have the following specific duties:

- a) To consider committee budgets and recommend the precept; submitting the recommendation to the Full Council for approval at the appropriate budget setting meeting.
- 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 and maintenance of asset register.
- c) To monitor and effect compliance with laid down internal and external audit and other financial procedures, regulations, and statutes.
- d) To monitor the Council's financial risk assessments and recommend changes where necessary.
- e) consider and approve other Committees' budgets and annual precept

levels before submitting precept for approval.

- f) To recommend the annual accounts to the Council.
- g) The council shall ensure an internal auditor is appointed at the Precept meeting.
- h) Oversee the opening and closing of Bank Accounts and the transfer of funds between accounts.

- i) To consider forward planning and provide earmarked reserves for the replacement of equipment, vehicles, buildings and specific items of expenditure required in the future in order to lessen the precept burden in any one year.
- j) To seek grant aid and appropriate support in respect to the responsibilities and any ongoing or new projects of the Council.
- k) Monitor income and expenditure against the committee budgets quarterly (or more frequently, if required) which are set annually.
- l) To allocate funding to working groups if required.
- m) The committee shall review and recommend changes to the 5 year and 12-month business plans on an annual basis before the budget for the following year is set.
- n) To authorise emergency spending of up to £1000. The authorisation can be given via email, when there is no full council meeting or finance committee meeting planned and the emergency funding needs to be released as soon as possible. Authorisation needs to be given by at least two people of the finance committee and the Clerk/RFO, different to the requestor, in order for the request to proceed.

All powers shall be exercised in accordance with any Standing Orders, policy adopted or directions given by Rayne Parish Council.

MEETINGS

Meetings shall be called by the Chairman of the Committee and the Clerk/RFO bi-monthly as set out in the council calendar.

Minutes of all meetings will be recorded by the Clerk or any member nominated at the meeting. All minutes shall be open for inspection by any Member of the Parish Council or Public.

The Public and Press may be admitted to meetings. If required they may be temporarily excluded by the means of special resolution as follows: "In accordance with Part 1, Schedule 12(A) of the Local Government Act 1972 the Press and Public be excluded from the meeting during the consideration of these items due to the confidential nature of these items."

BUDGET

The finance committee does not have a specific budget but has responsibility for all those budget lines which are set out under the heading 'responsibilities' in these TOR. The Finance committee will from time to time find it necessary to seek approval of expenditure from the full council in exceptional circumstances.

REVIEW OF TERMS OF REFERENCE

The Terms of Reference will be reviewed annually at the first meeting of the committee after the Annual Council Meeting of the Council and where necessary make appropriate recommendations to Full Council.

6.0 Terms of reference and delegated authority – Personnel Committee

The Personnel Committee is a Standing Committee of Rayne Parish Council.

The Personnel Committee is appointed to make recommendations to the Parish Council regarding all staffing matters, subject to budget and expenditure limits decided by the Finance Committee. The Committee will comprise a minimum of six members, each of whom will be a Councillor and include the Chair and V. Chair as Ex-Officio members. All Council members are encouraged to attend committee meetings.

- The quorum will be three Councillors.
- Appointment of members to the Committee will normally take place at the Annual Council meeting and remain in effect until the next Annual Meeting.
- A chairman will be elected annually by the Full Council at the Annual Meeting..
- Meetings of the Committee will be convened in accordance with the Parish Council's Standing Orders.
- The public and press will be excluded from meetings if due to their presence it is deemed prejudicial to the public interest by reason of the confidential nature of the business to be transacted.
- Meetings shall be held quarterly and more frequent, if and when, required.
- Reporting to the full parish council will be by circulation of minutes to all councillors and acknowledgement of this at the next meeting of the full Council. The Parish Clerk will be responsible for the distribution of minutes.

The Standing Orders on the rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interest of members in contracts and other matters shall apply to committee and sub-committee meetings.

If the number of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum the meeting shall be adjourned, and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman shall arrange.

RESPONSIBILITIES

The Committee shall undertake the following roles and functions, making recommendations to the full Council as appropriate : -

- i. to oversee the recruitment and appointment of staff;
- ii. to monitor and implement agreed rates of pay and plan progression steps through the Council's chosen pay scales;
- iii. to provide advice and support to the Council in applying policies for staff;
- iv. grievance or disciplinary matters will be dealt with in accordance with the Council's grievance or disciplinary policies and by the Personnel Sub-committee;
- v. to agree and review employment contracts and job descriptions;
- vi. to keep under review staff working conditions - ensuring that the Council continues to provide a fair, equitable and healthy work environment for its staff.
- vii. nominated members of the Personnel Committee to provide line management and development to specific staff;
- viii. nominated members of the Personnel Committee or the Personnel Sub-committee to carry out annual appraisals for specific staff;
- ix. to ensure all staff receive appropriate induction and ongoing development to meet the current and ongoing requirements of the role;
- x. to ensure that the Council complies with all legislative requirements relating to the employment of staff.

Legal responsibility for the decisions and actions of the Committee remains with the Council as a whole.

GROUPS MAINTENANCE STAFF

At present the Chairman of the Personnel Committee has responsibility for the daily work tasks and time sheets of the Grounds Maintenance Staff. All personnel matters relating to these staff will be handled by the Clerk.

CLERK/RFO

At present the Chairman of the Council has responsibility for the weekly working routine of the Clerk/RFO and liaises as to the tasks that need completing. All personnel matters relating to the Clerk/RFO will be handled by the Personnel Sub-committee.

MEETINGS

Meetings shall be called by the Chairman of the Committee and the Clerk/RFO quarterly as set out in the council calendar.

Minutes of all meetings will be recorded by the Clerk or any member nominated at the meeting. All minutes shall be open for inspection by any Member of the Parish Council or Public.

The Public and Press may be admitted to meetings. If required they may be temporarily excluded by the means of special resolution as follows: "In accordance with Part 1, Schedule 12(A) of the Local Government Act 1972 the Press and Public be excluded from the meeting during the consideration of these items due to the confidential nature of these items."

BUDGET

The Personnel committee does not have a specific budget but has responsibility for all those budget lines which are set out under the heading 'responsibilities' in these TOR. The Personnel committee will from time to time find it necessary to seek approval of expenditure from the Finance committee and/or full council in certain circumstances.

REVIEW OF TERMS OF REFERENCE

The Terms of Reference will be reviewed annually at the first meeting of the committee after the Annual Council Meeting of the Council and where necessary make appropriate recommendations to Full Council.

7.0 Terms of reference and delegated authority –Communications & Data Committee

The Communication and Data Committee is a Standing Committee of Rayne Parish Council.

The Rayne Parish Council Communication and Data Committee shall consist of at least five core voting members of Rayne Parish Council, membership includes the Chair and Vice-Chair who are ex

officio members plus the chairman of each standing committee, who are appointed annually at the Annual Council meeting. All members are encouraged to attend committee meetings.

- Three members of the committee shall constitute a quorum for meetings.
- A Chairman is to be elected at the Annual Council Meeting, and shall hold office until the committee meeting after the Annual Council Meeting of Rayne Parish Council as per the Standing Orders.
- Should any elected member, including the Chairman and Vice Chairman, resign, a new member of the committee will be appointed at the next full council meeting and this will be noted in the minutes of the next full council meeting.
- Only members of the committee may vote and participate in the meeting. In the case of an equal vote the Chairman shall have a casting vote.
- If a member has a personal interest as defined by the Code of Conduct adopted by the Parish Council, then s/he shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of the interest as required.

NB. If a member who has declared an interest, then considers the interest to be prejudicial, s/he must withdraw from the room during the consideration of the agenda item to which the interest relates.

The Standing Orders on the rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interest of members in contracts other matters shall apply to committee and sub-committee meetings.

If the number of Councillors present (not including those disbarred by reason of a declared interest) falls below the required quorum the meeting shall be adjourned, and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman shall arrange.

RESPONSIBILITIES

- To review and write council policies.
- To oversee that the GDPR policies and processes are carried out, so that the Council remains GDPR compliant, at all times.
- To maintain and improve the council's communication within itself and also to the wider community.
- To provide good strategy for the Social Media pages.
- To review, make additions or improvements to the content of the Parish Council website.
- To ensure that data is processed and kept securely.

- To provide IT support for the various platforms that the Council uses to include and not limited to email, cloud facility, website, telephone system and remote meeting platforms.
- To maintain and work towards Local Council Awards.
- To oversee that the Health and Safety policies and processes are carried out, so that the Council remains Health and Safety compliant, at all times.

MEETINGS

Meetings shall be called by the Chairman of the Committee and the Clerk bi-monthly as set out in the council calendar.

Minutes of all meetings will be recorded by the Clerk or any member nominated at the meeting. All minutes shall be open for inspection by any Member of the Parish Council or Public.

The Public and Press may be admitted to meetings. If required they may be temporarily excluded by the means of special resolution as follows: "In accordance with Part 1, Schedule 12(A) of the Local Government Act 1972 the Press and Public be excluded from the meeting during the consideration of these items due to the confidential nature of these items."

BUDGET

The Communications & Data Management Committee have a budget set for 22/23 of £3,000, if any one item of expenditure should exceed £500 the spending will be taken to the next full council meeting for approval. In the case of an emergency spend the Chairman of the committee along with the Clerk will make a decision which will be reported to the next full council meeting.

REVIEW OF TERMS OF REFERENCE

The Terms of Reference will be reviewed annually at the first meeting of the committee after the Annual Council Meeting of the Council and where necessary make appropriate recommendations to full council.

8.0 Terms of reference and delegated authority – Planning Committee

The Planning Committee is a Standing Committee of Rayne Parish Council.

Membership of the Planning Committee shall consist of at least five core voting members of Rayne Parish Council who are appointed annually at the Annual Council Meeting. Membership will include

the Chair and Vice Chair of the Council who are ex officio members. All committee members are encouraged to attend committee meetings.

- Three members of the Committee shall constitute a quorum for meetings.
- A Chairman is to be elected at the Annual Council meeting and shall hold office until the next Annual General meeting of Rayne Parish Council as per their Standing Orders.
- Should any elected member resign, including the Chairman, a new member of the Committee will be elected at the next Full Council meeting.
- Only members of the Planning Committee may vote and participate in the meeting. In case of an equal vote the Chairman will have a casting vote.
- If a member has a personal interest as defined by the Code of Conduct adopted by the Parish Council, then he/she shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of the interest required.

The Standing Orders on the rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interest of members in contracts other matters shall apply to committee and sub-committee meetings.

If the number of Councillors present (not including those disbarred by reason of a declared interest) falls below the required quorum the meeting shall be adjourned, and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman shall arrange.

RESPONSIBILITIES

Rayne Parish Council Planning Committee will consider all planning applications as notified by Braintree District Council or Essex County Council which cannot be considered by Full Council.

All planning applications, irrespective of type of application, are reported to Councillors via email. Members will also be emailed with all the relevant information for 'minor' applications, these would usually be decided by the Planning Authority Case Officers and include:

- Extensions
- Porches and conservatories
- Garage conversion
- Repairs/restorations to listed buildings.
- Advertising
- Summerhouses and offices in gardens
- Variation of conditions
- Tree works.

More 'major' type applications will include:

- Demolition and replacements.
- Large extensions.
- Applications with a substantial impact on neighbours/street scene.
- Change of use.
- Applications requiring listed building consent (not including repairs and restoration).
- Infill.
- New developments.
- Social infrastructure.
- Community facilities.

MEETINGS

Meetings shall be called by the Clerk and Chairman of the Committee as and when deemed necessary, but the committee will meet at a minimum twice per annum.

Minutes of all meetings will be recorded by the Clerk or any member nominated at the meeting. All minutes shall be open for inspection by any Member of the Parish Council or Public and presented to Full Council for noting.

The Public and Press may be admitted to meetings. If required they may be temporarily excluded by the means of special resolution included in the agenda as follows: "In accordance with Part 1, Schedule 12(A) of the Local Government Act 1972 the Press and Public be excluded from the meeting during the consideration of these items due to the confidential nature of these items."

There will be a public participation session during which non-member councillors/members of the public/press may speak, outside of the public session non-member councillors/ members of the public/press may not speak unless invited to do so by the Chairman of the committee.

DECISIONS

The Clerk will advise Councillors of a deadline for reply, should the deadline fall outside of the meeting an extension of time to comment request will be sent to the Planning Case Officer. Any member of the planning committee can ask that the application be considered by a Committee Meeting. The submitted responses will be noted at the next available Full Council meeting.

DELEGATED POWERS

The committee has full delegated powers for the matters below:

- To consider and comment on all plans and maps relative to Rayne submitted by other authorities and to forward observations to the appropriate authorities unless otherwise directed.

- To consider all other matters analogous to Planning and to bring to the notice of the appropriate authority any apparent breaches of the Planning Regulations which require intervention by the Local Authority Planning Enforcement.
- To consider matters relating to Tree Preservation Orders and act or respond accordingly.
- To consider matters relating to the village highways, footpaths and bridleways and liaise with the appropriate authorities.
- To consider other matters relating to the built and rural environment and act or make recommendations to the Council.
- To liaise with the police and relevant authorities regarding road traffic and road and pedestrian safety issues.

The Clerk has delegated powers to formulate and submit a response to minor planning applications following consultation with the members of the Planning Committee and/or Full Council.

Note: In accordance with the Local Government Act 1972 (s101) any arrangements made by Full Council for the discharge of functions does not prevent Full Council from exercising those functions when required.

REVIEW OF TERMS OF REFERENCE

The Terms of Reference will be reviewed annually at the first meeting of the Planning Committee after the Annual General Meeting of the Council and where necessary make appropriate recommendations to Full Council.

9.0 Terms of reference – Working groups

- 9.1 The council may form or disband a working group who will carry out tasks as defined by the full council. Specific terms of reference, including if necessary delegated powers, will be prepared by the Clerk for ratification at the next full council meeting following the working group being established.
- 9.2 The Role of a working group will be:
- To tackle issues as directed by the council.
 - To be task specific and time limited
 - To examine an issue in detail, read reports and related materials, examine options, get advice for the council

- To act as experts and/or liaise with experts
- To make recommendations to council
- To answer questions from the council No funding or monies to be spent or committed without delegated authority or prior full council endorsement.

9.3 Full council must direct the working group and set clear terms of reference for them regarding objectives, scope and outcome. The role of full council is to question and challenge the recommendations, in order to be satisfied of the correct decision. The working group must facilitate the full council with as much information as it requires to ensure it can make a properly informed decision on its recommendation.

9.4 The operation of the working group:

- A Working Party will not have a budget.
- The number of councillors on a working group shall be no less than three and no more than five members.
- The leader of the working group to be appointed by the full council at the time of the working group members are appointed.
- The quorate of a working group will be a minimum of three councillors at each meeting.
- Work priorities and co-option of named experts to be approved by full council.
- The working group will prepare notes of meetings for full council to report on any activity and progress.
- A working group will not meet in public, therefore Standing Orders are not applicable, although the Code of Conduct still applies.
- The working group will examine options and make recommendations to Full Council.

Date effective from: 4th May 2021

Last reviewed: October 2024

Next review date: October 2025