



**Terms of Reference
and
Delegation of Powers to Committees
and Working Groups**

**2022 – 2023
Adopted July 2022
Reviewed October 2025**

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Note: Amendments to these Terms of Reference may be made from time to time by resolutions of the Parish Council.

Terms of Reference

Heytesbury Imber and Knook Parish Council

The following matters shall be reserved for decision by the Parish Council.

1. The Precept
2. Borrowing money
3. Making, amending, or revoking Standing Orders, Financial Regulations, Duties and Powers of Proper Officer provisions
4. Making, amending, or revoking by-laws
5. Making of Orders under Statutory Powers
6. Matters of principle or policy
7. Addressing recommendations in any report from the Internal and External Auditors
8. Nomination or appointment of representatives of the Parish Council on any authority, organisation, or body (except approved conferences or meetings)
9. Nomination of members of all proper and sub committees
10. New powers or duties
11. Prosecution or defence in a Court of Law
12. Nomination or appointment of representatives of the Council to any enquiry on matters affecting the Parish
13. To receive and adopt the Annual Accounts
14. To receive and sign off the Annual External Audit and Return
15. To receive reports referred to the Parish Council from Committees/Sub-Committees
16. To set up Committees as necessary
17. To receive reports and consider recommendations from all Committees set up by Parish Council
18. To appoint representatives on outside bodies or joint bodies
19. To confirm the appointment of the Chair /Vice Chair
20. To confirm the schedule of meetings of the Parish Council/Committees/Sub-Committees for the ensuing year
21. To receive petitions and deputations from members of the public or any organisations
22. Any other matters not delegated to a Committee or Sub-Committee or referred to the Council by Committees or Sub-Committees

Terms of Reference

Planning Applications

The Parish Council considers all planning applications in the Parish. Comments are sent to the Unitary Council as part of their consultation procedure. The aim is to use Planning Law, Wiltshire Council's Core Strategy, Policy, and Periodic Planning Guidance notes to preserve and enhance the character of the villages it serves, whilst encouraging its commercial and social vitality.

23. To consider all planning applications sent for consultation by Wiltshire Council and comment on behalf of the Parish.
24. To deal with requests for street naming.
25. To produce and publish any information for the public about planning matters, except plans which hold copyright.
26. To delegate the power to the Clerk in discussion with the Chair or Vice Chair, to make recommendations to Wiltshire Council on minor revisions to applications for which there is insufficient time to call a Council meeting. The exercise of this power should be consistent with established practice and policy of the Parish Council, where defined, and shall be reported to the next Council meeting.

Financial Matters

The Parish Council manages its budget to ensure all expenditure is authorised where necessary and all income is collected. It also manages the assets of the Parish that it owns or manages.

27. All financial matters which include monthly management accounts and reports of paid invoices for goods and services.
28. Allocation of grants within agreed criteria and budget.
29. Agree and manage maintenance contracts and budgets for all services and assets owned by the Parish
30. To consider any tender documents as and when necessary.
31. To prepare a budget no later than November each year.
32. Monitor income and expenditure within the budget estimates approved by the Parish.
33. Review the Financial Regulations, as necessary.

HR Matters

The Parish Council is responsible for all staffing matters for the Council and includes all training and development matters, including for elected Members. The Parish Council is also responsible for all Health and Safety issues and the relevant required risk assessments.

34. To advertise for staff appointments and arrange interviews.
35. To carry out the Clerk's appraisal and agree objectives.
36. To agree and arrange training requirements for staff and Councillors within the agreed budget.

37. To consider, and bring to a conclusion, any matters of grievance or discipline as outlined by the Parish Council policies and applicable to all members of staff employed by the Parish Council.
38. To discuss with the Clerk any issues relating to pay levels and staffing.
39. To deal with any complaints made against the Parish Council in accordance with the Council's Complaints Procedure
40. To ensure that the Council complies with Health and Safety issues including the annual risk assessment procedure.

Outside Spaces

The Parish Council coordinates all transport, highways, and environmental issues in the Parish. This includes play areas Street furniture, lighting, road maintenance, new highway projects and speed limits, rural footpaths, byways, and all other rights of way.

41. To consider and comment on any highways and transport matters and make referrals to the Community Area Transport Group where necessary.
42. To consider and comment on Footpaths, bridleways, and rights of way.

Committees

Committees set up by Heytesbury, Imber and Knook Parish Council.

1. Membership

Members can be appointed and so can non-elected members of the public or any other representative from a properly constituted body.

2. Delegated Business

The Committee has delegated authority to discuss and debate items as specified by the Parish Council in a brief which should be minuted:

- 2.1 No Committee shall have powers to make decisions on policy or budget commitment. Recommendations shall be put before the Parish Council for ratification.
- 2.2 Agendas shall be put together by the lead Member or Chair of the Committee.
- 2.3 Minutes of Committees will be made available to all members and the public on request. They will be prepared by the lead Member or Chair of the Committees.
- 2.4 Meetings of Committees will not necessarily be open to the public, but all reports will be available once adopted by the Parish Council.
- 2.5 The general ToRs can be expanded for any Committee if required to enable the completion of a project. Any additional ToRs will be adopted by the Parish Council.

Co-option Policy

1. Committees of Heytesbury, Imber and Knook Parish Council, can co-opt members who are not elected Members to assist with the work of their group.
2. Co-opted individuals shall have no jurisdiction over the spending of budget or the preparation of such.
3. The co-option of an individual is not to be confused with the filling of a casual vacancy on the Parish Council, which would only arise if an elected Member should resign, die, or be disqualified.
4. Co-option will not be politically led nor be a vehicle to enlist those parties not represented on the Parish Council.
5. Co-opted members will be known as Advisers.
6. Advisers can be appointed by a Committees if additional expertise is required to make decisions or add knowledge that would be of benefit to the Committees concerned.
7. Advisers will have no voting rights.
8. All members of the Parish Council will vote for an individual adviser to be appointed by way of a resolution in a public meeting.