



# Terms of Reference for Council and Committees

Adopted by Marden Parish Council on: 12<sup>th</sup> June 2018  
Reviewed on: 13<sup>th</sup> June 2017 / 12<sup>th</sup> June 2018 / 11<sup>th</sup> June 2019  
Review date: June 2020

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## **TERMS AND CONDITIONS COUNCIL AND COMMITTEES**

### **DECISION MAKING**

Subject to stipulations **(i)-(ii)** (*below*), and to the observance of decisions of the Council on matters of principle or policy, with the exception of **(a)-(m)** (*below*) **authority shall be delegated to the Council's Standing Committees or Officers.**

The acts and proceedings of a Committee shall:

- (i)** where they are delegated to the Committee, so far as is legally permissible be deemed the acts and proceedings of the Council
- (ii)** as regards other matters be subject to confirmation by the Council and, when confirmed, shall be deemed the acts and proceedings of the Council
- (iii)** in all respects be subject to the provisions of the Council's Standing Orders and Financial Regulations, except as otherwise determined by Council

### **(1) Matters to be resolved only by Council**

- (a)** issuing the precept
- (b)** borrowing money
- (c)** approving the end of year Accounts and Annual Return
- (d)** incurring capital expenditure over and above the Council's approved budget
- (e)** incurring revenue expenditure which is over and above the Council's approved budget and is in excess of £5,000 per item (unless incurred already under Financial Regulation 3.4)
- (f)** amending Standing Orders and Financial Regulations
- (g)** fixing the number of Committees, and the names and number of Members appointed to each Committee

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- (h) determining the functions and constitution of Committees and Sub-Committees
- (i) fixing the dates of routine meetings of the Council and its Committees
- (j) filling of Member vacancies occurring on any Committee or Council (if required to do so by law)
- (k) appointing or nominating persons to fill vacancies on outside bodies
- (l) confirming the appointment of, and dismissing of, the Parish Clerk, Deputy Clerk and any other person/s employed by the Council.

## **(2) Officers**

The Council may, from time-to-time and by mutual consent, delegate authority to its Proper Officer or other appropriate Officer. *See MPC's Scheme of Delegation.*

## **(3) Council Chairman & Committee Chairmen**

The statutory annual election of a Chairman shall be subject to the following restriction: The length of continuous service of any Chairman of Full Council and the Finance Committee or the Chairmen of Planning and Amenities Committees shall be restricted to three years. At completion of any three-year term, all Chairmen will stand down for one year and not be eligible for re-election to the post of Chairman until the following annual meeting of the Parish Council and subsequent Committees.

The Chairman and Vice-Chairman of the Parish Council will be ex-officio on Planning, Amenities and Finance Committees and have voting rights.

The Chairman of the Parish Council will be ex-officio on Sub-Committees.

## **(4) Committee Chairmen**

In liaison with the Parish Clerk, the Committee Chairmen/Vice-Chairmen have the authority to cancel or postpone a meeting owing to lack of business or in an emergency.

## **(5) Safeguards**

- 1 The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or Officer.
- 2 Matters delegated to Committee may be referred to full Council at the request (written or verbal) of two Members of the Council **prior** to the resolution of the matter.
- 3 In accordance with Standing Order 7a the Council may, under specified conditions, reverse a Committee (or Council) decision within 6 months.

## TERMS OF REFERENCE COMMITTEES

### AMENITIES COMMITTEE

The Amenities Committee of Marden Parish Council consists of the Chairman and Vice-Chairman of the Parish Council and a minimum of 4/maximum of 6 Cllrs. The appointment of members to this Committee is decided at the Annual Parish Council meeting.

Following the Full Council Meeting on 7<sup>th</sup> May 2019 it was agreed that the Amenities Committee would meet bi-monthly with the Clerk finalising the meeting dates for the following year.

- 1** Overseeing the management and administration of the Southons Field, Marden Playing Field and other open space.
- 2** Overseeing the management and administration of Maidstone Road Cemetery
- 3** Promoting "Marden at Christmas" and other Parish and National events.
- 4** Promoting Youth facilities in the Parish
- 5** Promoting the provision of new or expanded leisure and visitor facilities where there is clear need and demand.
- 6** Provide Council representation on Memorial Hall Committee.
- 7** Making representations to the appropriate authority on matters relating to the provision and maintenance of leisure facilities for residents and visitors.
- 8** Making representations to the appropriate authorities in respect of tourism strategies for the District and County where those strategies have an impact on the management of tourism within the parish.
- 9** Making representations to the appropriate authority in respect of the provision and maintenance of litter bins, street cleaning, waste recycling and other related initiatives.
- 10** Overseeing the management and administration of the public conveniences.
- 11** Making representations to the appropriate authority in relation to the provision and maintenance of all street furniture within the parish.
- 12** If appropriate, recommending to the Full Council revenue or capital expenditure over and above Council's approved budget.
- 13** To review S106/CIL spending on Marden Open Spaces
- 13** To take up any additional tasks assigned to it by the Full Council as appropriate.

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- 14** Appointing sub-committees to undertake any specific project work as necessary. This may include non-elected members.
- 15** Review Amenities Policies periodically

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## TERMS OF REFERENCE COMMITTEES

### FINANCE COMMITTEE

The Finance Committee of Marden Parish Council consists of the Chairman and Vice-Chairman of the Parish Council and a minimum of 2/maximum of 4 Cllrs. The appointment of members to this Committee is decided at the Annual Parish Council meeting.

- 1**        Reviewing and updating the Financial Regulations and ensuring they are observed by the Council.
- 2**        Review and update Financial Risk Assessments regularly
- 3**        Overseeing the financial administration of the Council.
- 4**        Maintaining the Financial planning system including the determination of budgets.
- 5**        Monitoring performance against budgets and taking any necessary action
- 6**        Monitoring purchasing decisions to ensure a value for money approach to all aspects of Council activity in accordance with Financial Regulations.
- 7**        Receiving and reviewing audit reports and arranging for implementation of any recommendations.
- 8**        Developing, maintaining and monitoring the policy on the management of reserves.
- 9**        Undertaking quarterly internal audit checks on accounts and reconciling accounts.
- 10**      Monitor the work of the Responsible Financial Officer (RFO) to ensure proper accounting records and adequate internal financial controls are in place.
- 11**      Providing advice and guidance to the Chairmen of other Committees and to the full Council on all aspects of financial management.
- 12**      Following a report from the HR Sub-Committee will review the annual salaries of all employees and make recommendations to full council for ratification
- 13**      To take up any additional tasks assigned to it by the Full Council as appropriate.
- 14**      Appointing sub-committees to undertake any specific project work as necessary.
- 15**      Review Financial Policies periodically.

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## TERMS OF REFERENCE COMMITTEES

### PLANNING COMMITTEE

The Planning Committee of Marden Parish Council consists of the Chairman and Vice-Chairman of the Parish Council and a minimum of 4/maximum of 6 Cllrs. The appointment of members to this Committee is decided at the Annual Parish Council meeting.

- 1** Making representations to the Local Planning Authority on applications for planning permission.
- 2** Making representations in respect of appeals against the refusal of planning permission.
- 3** Making representations in respect of enforcement action or alleged breaches of planning regulations.
- 4** Making representations regarding street naming.
- 5** Considering and monitoring any development plans relating to the Parish and Borough and making appropriate representations.
- 6** Making representations to the appropriate Planning Authority in respect of all other planning matters not referred to above.
- 7** Making representations and attending at the Court proceedings (where necessary) on all applications for Justices/Transfer of Justices Licences to the Magistrates when notified of such applications.
- 8** Making representations to the appropriate authority in respect of highway matters.
- 9** All other matters which are the responsibility of third party agencies and affect directly the Parish's built environment and infrastructure.
- 10** To take up any additional tasks assigned to it by the Full Council as appropriate.
- 11** Appointing sub-committees to undertake any specific project work as necessary. This may include non-elected members.
- 12** Review Planning Policies periodically.

## TERMS OF REFERENCE SUB-COMMITTEES

### HUMAN RESOURCES SUB-COMMITTEE

The Human Resources Sub-Committee of Marden Parish Council is a sub-committee of the Finance Committee and consists of the Chairman of the Parish Council and a minimum of 2/maximum of 4 Cllrs. The appointment of members to this Sub-Committee is decided at the Annual Parish Council meeting.

- 1** To recruit, retain and develop staff to undertake the work of the council.
- 2** To review the pay and conditions of employment of the staff and to update these as necessary to comply with the law and with good practice.
- 3** A report to be provided annually to Finance Committee for the budget setting meeting recommending the pay award for all employees.
- 4** To determine the staffing levels necessary to efficiently discharge the work required by the council and to review the work loads periodically.
- 5** To ensure the health and safety of staff employed by providing appropriate working spaces, tools and equipment and to train staff as necessary to safeguard their health and safety at work.
- 6** To undertake reviews of working practices and procedures of the Council as a whole when so requested and to make recommendations to Full Council.
- 7** To undertake regular staff appraisals of both employed and self-employed staff
- 8** To undertake reviews of risk assessments for all employees and volunteers
- 9** To take up any additional tasks assigned to it by the Full Council or Finance Committee as appropriate.
- 10** To ensure the disciplinary procedure/policy and grievance procedure/policy remains up to date.
- 11** In the event of a disciplinary or grievance matter being raised by an employee to appoint a Councillor/Councillors or the Clerk to investigate and resolve.
- 12** To review Financial Regulations and Financial Risk Assessment which are relevant to HR matters to ensure up to date and relevant
- 13** Review HR Policies periodically.