



# Parish Council Terms of Reference

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**The following matters are reserved to the Council for decisions.**

## **General**

All statutory powers and responsibilities reside with the Parish Council. Individual Committees and Working Groups shall operate within the delegations decided by the Council and set out in the Terms of Reference for that Committee.

## **1. Finance**

- (a) Authorising payment of accounts, except in months when the council does not meet, and then authority for payments is delegated to the planning committee
- (b) Setting of the annual precept (January).
- (c) Preparing annual estimates for areas not covered by the Committees.
- (d) Prioritising special projects brought forward by Council or Committees.
- (e) Drawing up of Financial Regulations.
- (f) Appointing a bank to deal with the Council's affairs.
- (g) Appointing bank signatories. The Clerk, and Deputy Clerk cannot sign cheques but both should be included on the list of authorised persons able to communicate with the bank and access information from the Council bank accounts. In no circumstances may any member of the Parish Office withdraw money from any of the Council's bank accounts without the minuted authority of the Council.
- (h) Obtaining permission for and negotiating terms of any loans that may be necessary for the Council to fulfil its obligations/carry out capital work.
- (i) Considering the Parish Grant Scheme applications in accordance with regulations, offering community groups and organisations an equal opportunity to access financial support.
- (j) Reviewing donations annually that are recommended by the Employment, Finance and Policies Committee and during preliminary precept discussions (to be approved by the Council).
- (k) Approving the terms of employment of all staff
- (l) Approving the salaries of all staff
- (m) Ensuring that all Council properties and activities are fully insured.

- (n) Determining the appropriate action for the pursuit or remission of debts, having received the recommendations of the Employment, Finance and Policies Committee.

## **2. Administration**

- (a) Appointing the Clerk and the Deputy Clerk. Management of the Deputy Clerk is the responsibility of the Parish Clerk.
- (b) Deciding the number of, and appointing members to Committees.
- (c) Appointing members as representatives to serve on outside bodies.
- (d) Confirming the terms of reference/delegation of powers for the Committees.
- (e) Setting up, with terms of reference, all ad hoc Committees deemed necessary.
- (g) Making Standing Orders.

Note – Once a decision is made by the Parish Council concerning its processes that decision remains in force until overtaken by a future Council decision. Thus the original decision will bind the Council and effectively become a standing order. On this basis the only circumstance in which a Council decision affecting process may not automatically become a standing order is where that decision is stated to be subject to review. In considering the latter, members will note that a decision subject to review is still binding.

## **3. Legal**

- (a) When necessary, appointing its own Solicitor and in special circumstances engage Counsel.
- (b) Taking legal action where it is judged (by the Council) that proceedings have a better than reasonable prospect of a successful outcome.
- (c) Purchasing or disposing of land or buildings, for which only the Council has the power.
- (d) Making bye-laws.
- (e) Making applications for planning or building consent.
- (f) Appointing and instructing representatives (including professional, if needed) for all types of Planning Appeals.

## **4. Miscellaneous**

Re-negotiating, if necessary, the terms of contracts.

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