



# Scheme of Delegation

Adopted 12/05/2025

Version:	Date Approved:	Review Date:
1.0	14/05/2018	31/05/2019
2.0	13/05/2019	31/05/2020
3.0	04/05/2021	31/05/2022
4.0	09/05/2022	31/05/2023
5.0	15/05/2023	31/05/2024
6.0	12/05/2025	31/05/2026

## **1. Introduction**

- 1.1. This document sets out how Pembury Parish Council ("the Council") delegates powers and duties to the Clerk and other Officers within the Council.
- 1.2. The Scheme of Delegation forms part of the Council's Financial Regulations and Standing Orders Framework and will be reviewed at least annually or earlier if necessary.
- 1.3. These delegations are necessary for the effective day to day running of the Council and to prevent every decision having to come to a Council meeting for agreement.
- 1.4. One of the purposes of the document is to clearly define the parameters within which Officers of the Council can act without reference to either the Council, Committees or their line managers.
- 1.5. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.
- 1.6. This Scheme of Delegation will be reviewed by the Council at least annually along with the Council's Standing Orders and Financial Regulations.

## **2. The Power to Delegate**

- 2.1. The power to delegate functions by local councils is set out in the Local Government Act 1972 section 101, arrangements for discharge of function by local authorities.
- 2.2. Subject to any express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their functions: (a) by a committee, a sub-committee, or an officer of the authority, or (b) by any other local authority.
- 2.3. Any arrangements made by a local authority or committee under this section for the discharge of any functions by a committee, subcommittee, officer, or local authority shall not prevent the authority or committee by whom the arrangements are made from exercising those functions.
- 2.4. Delegation to a subordinate Officer shall not prevent the Clerk from exercising the same power or duty at the same time.
- 2.5. A local authority's functions with respect to issuing a precept for a rate or borrowing money shall be discharged only by the authority.

### **3. Extent of Delegation**

- 3.1. All delegated functions to committees, sub-committees or an officer of the authority shall be deemed to be exercised on behalf of and in the name of the Council.
- 3.2. All parties with delegated functions will exercise these powers in accordance with:
  - Approved budgets
  - The Council's Standing Orders and Financial Regulations
  - The Council's Policy Framework and other adopted policies of the Council
  - All statutory, Common Law and contractual requirements.
- 3.3. The powers and duties set out in the Scheme of Delegation to Officers are delegated in full to the Clerk, who for statutory purposes is the Proper Officer of all relevant sections of the Local Government Act 1972 and is responsible for the management of the organisation and any other statute requiring the designation of a Proper Officer.
- 3.4. The Clerk may do anything pursuant to the delegated power, or duty, which it would be lawful for the Council to do including anything reasonably implied or incidental to that power or duty.
- 3.5. Provided that such authorisation is not prohibited by statute the Clerk to whom a power, duty or function is delegated may authorise another Officer to exercise that power, duty, or function, subject to:
  - Such authorisations being contained in employee job descriptions.
  - Given to an Officer below the delegating officer in the organisational structure.
  - Being given where there is significant administrative convenience in doing so.
  - The Officer authorised by the Clerk acting in the name of the Clerk.
  - Such authorisation not being prohibited by statute.
- 3.6. Specific delegation is provided to the Responsible Finance Officer, who for statutory purposes is the Section 151 Officer.
- 3.7. The Clerk may delegate provision within this scheme to other Officers in the Council's employment, in accordance with employee job descriptions, as appropriate.

#### **4. Reserved Powers and Safeguards**

4.1. Any appointed Committee has delegated authority to decide matters within their Terms of Reference as incorporated in this Delegation Scheme except for the following matters, which are to be resolved only by the Full Council:

- To appoint the Chair and Vice Chair of the Council.
- To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation, and significant changes to other Council policies previously approved by Full Council.
- To approve of the annual Budget and setting the precept.
- To approval of the Annual Return and Audit of Accounts.
- To determine the Council's Corporate Priorities, matters of principle or policy.
- To agree and/or amend the terms of reference for Committees, deciding on their composition and making appointments to them.
- To fill any vacancies occurring on any Committee of the Council during the Council year.
- To resolve the calendar of meetings for the ensuing year.
- To declare the eligibility of the General Power of Competence.
- To approve any grant or a single commitment in excess of £5,000.
- The appointment to or co-option on a Committee, Panel or Working Group of a person who is not a member of the Council or Committee.
- To address any recommendations in any report from the internal or external auditors.
- To appoint or nominate Council representatives to outside bodies.
- To agree to take on new services, including devolved services, subject in all cases to a fully costed business plan.
- The prosecution or defence in a court of law.
- To determine matters involving expenditure for which budget provision is not made or is exceeded.
- To determine any matters referred to it by a committee in accordance with Standing Orders.
- To approve any borrowing.

- To determine matters which do not fall within the remit of any Committee.
- To receive statutory reports from the Clerk/Responsible Financial Officer.
- To consider all other matters which must, by law be considered by Full Council.

## **5. Delegation to Committees and Panels**

- 5.1. The Council will schedule up to eleven ordinary meetings during the year to consider any matters not subject to delegation to committees, sub-committees or officers.
- 5.2. Terms of Reference, outlined from Appendix A, details the extent of delegated authority to Committees and requirements for decision making referral to Full Council.

## **6. Delegation to the Clerk**

- 6.1. The Clerk is the Proper Officer for any purpose in respect of which a Proper Officer is mentioned in any statute. They are responsible for the management of the organisation and the Council's workforce.
- 6.2. Delegated actions of the Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and in line with direction given by the Council from time to time.
- 6.3. The requirements of the Openness of Local Government Bodies Regulations 2014 to keep a written record of certain decisions made by an Officer will be complied with.
- 6.4. The Council does not consider that Officers will be taking decisions of such a nature that a written record will be required. If, exceptionally, a written record is required of an Officer's decision, the record will be published on the Council's website and made available for inspection in the Council's office.
- 6.5. The Clerk is the Health & Safety Officer for the purposes of the Health & Safety Act 1974 and is authorised to oversee the discharge of the Council's responsibilities under the Act.
- 6.6. The Clerk is authorised to:

### **General Matters**

- 6.2.1 Sign the summons to attend meetings of the Council and Committees.
- 6.2.2 Call additional ordinary meetings of the Council or any Committee as necessary, having consulted with the Chair of the Council and/or Committee.

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- 6.2.3 Sign, or where appropriate, seal on behalf of the Council, any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Council.
- 6.2.4 Receive declaration of acceptance of office.
- 6.2.5 Receive and record members' interests.
- 6.2.6 Receive and grant dispensations to the Council's Code of Conduct; details of all dispensations received and granted to be reported to the Council at the next available meeting.
- 6.2.7 Accept resignations of Councillors, notify the Returning Officer of casual vacancies, and liaise as necessary regarding the conduct of elections.
- 6.2.8 Receive documents from the Monitoring Officer in relation to complaints received under the Councillor's Code of Conduct and report this at the next appropriate meeting of the Council.
- 6.2.9 Alter the date or time of a Council, Committee, or other meeting in consultation with the Chair of the Council or Committee as appropriate.
- 6.2.10 Manage day to day matters relating to the functioning of Council services and facilities, including determining arrangements for the closure of the Council offices in the Christmas/New Year period.
- 6.2.11 Produce communications and marketing materials.
- 6.2.12 Deal with press and public relations enquiries.
- 6.2.13 Maintain editorial control of Council websites and social media channels.
- 6.2.14 Manage, promote, and coordinate the annual calendar of Council events as agreed by Full Council.
- 6.2.15 Manage all Council services and facilities.
- 6.2.16 Apply for planning consent for the carrying out of development by the Council.
- 6.2.17 Act on behalf of the Council in cases of urgency or emergency in consultation with the Chair and Vice-Chair of the Council and/or the Chair of the relevant Committee or Working Group before acting on behalf of the Council, in response to the particular matter under investigation. Any action taken to be reported to the next appropriate meeting of the Council or Committee.
- 6.2.18 Manage the land and property of the Council in line with Council policy and budgetary constraints.
- 6.2.19 Appoint consultants and other professionals to carry out any function and provide any service under their control, subject to the Council's Standing Orders and Financial Regulations.

#### **Legal Matters**

- 6.2.20 Procure legal and professional advice authorised by the Council as necessary.
- 6.2.21 Initiate and appear in any legal proceedings authorised by the Council.
- 6.2.22 Appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest.
- 6.2.23 Initiate legal action or proceedings against unauthorised encampments or encroachments on Council land.

- 6.2.24 Certify copies of byelaws made by the Council and other such orders adopted by the Council.

#### **Staffing Matters**

- 6.2.25 Undertake the duties of Head of Paid Service.
- 6.2.26 Manage staff performance, either directly or indirectly, including facilitation of review meetings, performance, and development goals.
- 6.2.27 Exercise performance management, sickness absence, and appropriate stages of the Disciplinary and Grievance procedures.
- 6.2.28 Implement pay awards and conditions of service in line with National Joint Council Scheme of Conditions of Service as amended by local agreement. Changes to be reported to Full Council for noting.
- 6.2.29 Approve payment of overtime within relevant budgets.
- 6.2.30 Implement and monitor arrangements for annual leave, flexi time, sickness absence, and other types of discretionary leave in line with the Council's relevant policies.
- 6.2.31 Authorise staff training and development.
- 6.2.32 Confirmation to staff about the successful completion of their probation period.
- 6.2.33 Make recommendations on performance-related salary increases for staff.

#### **Operational Matters**

- 6.3 The Clerk is authorised to:

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- 6.3.1 Manage matters relating to the day-to-day maintenance and operation of Council owned facilities including Lower Green Recreation Ground, Woodside Playing Fields, Woodside Road Allotments, Pembury Burial Ground, Lower Green Cemetery, Old Church graveyard, Old Coach Road, streetlights, benches, bus shelters and general open spaces.
- 6.3.2 Arrange for the maintenance, replacement or repair of machinery, fixtures and fittings or equipment, including use of sub-contractors, as necessary within budgetary allocation within the limits of their delegation.
- 6.3.3 Authorise the provision of uniforms or protective clothing for staff and volunteers within approved budgets.
- 6.3.4 Incur expenditure on revenue items within approved estimates and budgetary spend within approved delegated powers as per the Financial Regulations.
- 6.3.5 Manage provision of IT and communication technology including replacement of equipment within approved budgets within approved delegated powers as per the Financial Regulations.

#### **Grounds Maintenance**

- 6.3.6 Manage matters relating to the day-to-day maintenance and operation of the ground's maintenance workshop.
- 6.3.7 Arrange for the maintenance or repair of existing machinery, vehicles, or equipment within approved revenue budget.
- 6.3.8 Arrange for inspections of play equipment, street furniture, trees and grounds conditions as necessary to uphold public safety and quality control.
- 6.3.9 Adjust grass-cutting and maintenance frequencies as necessary to uphold Council standards.
- 6.3.10 Devise and implement Council planting schemes.
- 6.3.11 Incur expenditure on revenue items within approved estimates and budgets.

#### **Council Administration**

- 6.3.12 Implement legal requirements under the Data Protection Act 2018, Freedom of Information Act 2000, and the Local Government Act 1972 S226.
- 6.3.13 Process requests for information in line with above acts, as necessary.
- 6.3.14 Monitor compliance by the Council and take action as necessary to ensure this.
- 6.3.15 Register the Council and individual members as necessary with the information Commissioners Office for the purposes of controlling data.
- 6.3.16 Manage custody of Council documents in accordance with the provisions of Local Government Act 1972, S226. And 227. Receive and retain copies of byelaws made by other authorities.
- 6.3.17 Implement requirements following an election or co-option of Parish Councillors including ensuring declarations of acceptance of office are signed and Disclosable Pecuniary Interest forms are completed.
- 6.3.18 Keep proper records for all meetings.
- 6.3.19 Authorise hire of Council facilities and land in accordance with the approved scale of charges.
- 6.3.20 Respond to complaints made in line with the Council's complaints procedure.

#### **Other Matters**

- 6.3.21 Day to day management of the quarterly newsletter, and its contents within the Council's approved policy and budgets.
- 6.3.22 Day to day management of the Council's website and social media channels within the Council's approved policy.
- 6.3.23 Day to day management of Council run events in line with the approved format, budget and policy of the Council.
- 6.3.24 Day to day management of all Council run competitions in line with the approved format, budget and policy of the Council.
- 6.3.25 Day to day management of the Council's Christmas lighting and festive displays in line with the approved contract, budget and policy of the Council.



- 6.3.26 When it is not possible for the Planning & Highways Committee to meet to decide the Council's responses to consultations on planning applications, to agree planning responses in consultation with Members of the Committee, either in person or by email, and submit them to the appropriate authority. For the avoidance of doubt this will include the summer recess and Christmas periods

## **7. Responsible Financial Officer**

- 7.1 The Responsible Finance Officer is the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972 and is authorised to act in accordance with the most recently adopted Financial Regulations in order to effectively discharge the duties of the role. The Responsible Finance Officer is authorised to:

- 7.1.1 Issue the approved precept to the billing authority.
- 7.1.2 Operate the Council's banking arrangements including making internal transfers.
- 7.1.3 Manage, monitor and review the Council's internal control procedures.
- 7.1.4 Make all necessary arrangements for the provision of internal and external audit.
- 7.1.5 Maintain a Register of Assets and Inventory of Equipment.
- 7.1.6 Determine the Council's insurance requirements.
- 7.1.7 Prepare the monthly payroll for verification by the Chair of the Finance and HR Committee.
- 7.1.8 Implement national pay awards and conditions of service to uphold the national agreement on pay and conditions of service.
- 7.1.9 Prepare a draft budget for consideration by the Council.
- 7.1.10 Prepare the final accounts for each financial year.

## **8. Delegation to Committees**

- 8.1. The Council uses the following reporting classifications:
- **Consider** - where the Committee is asked to give feedback/suggestions on a subject, based on the impact on that Committee's area of focus.
  - **Monitor** - where the Committee oversees an ongoing matter.
  - **Note** - where no action is required other than the Committee's oversight/knowledge.
  - **Ratify** - where the Council confirms a decision/recommendation delegated by to a Committee.
  - **Recommend** - where the Committee has responsibility to consider the detail of a matter and make recommendation to the Council.
  - **Resolve** - where the Committee has delegated authority for approval.

- **Review** – where the Committee undertakes a review on a specific matter that falls within its mandate and approves/recommends as appropriate.

- 8.2. Full Council – Appendix A
- 8.3. Finance & HR Committee – Appendix B
- 8.4. Planning & Highways Committee – Appendix C
- 8.5. Open Spaces Committee – Appendix D

## **TERMS OF REFERENCE**

## **FULL COUNCIL**

### **Membership:**

All thirteen members of the Council.

### **Purpose:**

The Full Council will consider and resolve all required matters as set out in the Scheme of Delegation relating to legislative and statutory law, policy, planning, strategic direction, finance and audit and issues having major impact on the parish.

The Council may ratify recommendations from Committees and Working Groups as necessary in line with the above.

### **Legislative and Statutory**

- To elect a Chair and Vice-Chair.
- To review and resolve Standing Orders, Financial Regulations, Scheme of Delegation and Terms of Reference for Committees annually.
- To fix the annual calendar of meetings for Council and Committees.
- To fill member vacancies (in the case of co-option) occurring on the Council.
- To appoint or nominate persons to outside bodies or organisations.
- To approve delegation of powers to the Clerk and Responsible Financial Officer.
- To consider any matters in connection with statutory legislation (including freedom of information, data protection, equality, by-laws, etc) Strategy and Policy.
- To approve and monitor strategic plans and policy objectives.
- To consider major or other planning applications not dealt with under delegated authority.
- To review asset management and capital works programme.

### **Finance and Audit**

- To resolve annual and medium-term budgets.
- To resolve annual precept request.
- To resolve financial borrowing or loan repayments.
- To approve expenditure from reserves.
- To approve end of year accounts and Annual Return.
- To receive audit reports.
- To resolve financial terms relating to Council employees.
- To resolve tendering, contract and procurement arrangements in line with financial regulations.
- To review effectiveness of internal controls.

### **Employment**

- To consider all employment issues relating to the Clerk.
- To resolve contractual terms relating to Council employees.

### **Other**

- Any other matter not specifically within the remit of any Committee of the Council.

### **Meeting arrangements and frequency**

- Ordinary meetings will be held up to eleven times per year.
- A calendar will be agreed at the Annual Parish Council meeting.
- Election of the Chair will be the first business of Annual Parish Council meeting.
- The Clerk or other appropriate officer will record meetings.
- Meetings will begin at 7.15pm unless otherwise stated on the agenda.
- Standing orders on rules of debate and on interests of Councillors in contracts or other matters shall apply.

### **Quorum**

- A minimum number of five members (or one-third of the total seats if greater) are required for decision-making purposes in line with Council's Standing Orders.

## TERMS OF REFERENCE

## FINANCE & HR COMMITTEE

### 1. Purpose:

- 1.1. The purpose of the Finance & HR Committee is to consider, monitor, review, and make recommendations to Full Council where necessary:
  - 1.1.1. relating to the finances of the Council.
  - 1.1.2. relating to the internal and external audit and system of internal control procedures of the Council's finances and activities.
  - 1.1.3. for new and existing policies and procedures.
  - 1.1.4. on all human resources and staffing matters.

### 2. Membership

- 2.1. The Committee shall consist of up to **SIX** Councillors who shall be elected each year at the Annual Parish Council meeting.
- 2.2. The Chair and Vice Chair of the Council shall be ex-officio members of the Committee. For the avoidance of doubt, they can attend, vote and be counted towards the quorum, in the same way as any other Committee member.
- 2.3. The quorum of the Committee is **THREE** Members.
- 2.4. A substitute member of the Committee may be appointed each year at the Annual Parish Council meeting.

### 3. Procedures

- 3.1. The Committee will operate within Pembury Parish Council's Standing Orders and Local Government Law.
- 3.2. The Chair and Vice Chair for the forthcoming year shall be elected at the Annual Parish Council Meeting. The Chair and Vice Chair may be re-elected.
- 3.3. The Committee will submit all of its minutes of meetings for ratification to the next appropriate meeting of the Council.
- 3.4. The Clerk and/or Assistant Clerk will provide administrative support for the Committee.

### 4. Meeting Dates

- 4.1. The schedule of meetings shall be agreed at the Annual Parish Council meeting.

- 4.2. The Committee shall meet once every quarter as agreed in the Council Office, Lower Green Recreation Ground, Pembury TN2 4DZ unless otherwise agreed. An additional meeting to be held in December to discuss the annual budget for recommendation to Full Council.

## **5. Delegated Powers**

### **Finance**

- 5.1. Receive quarterly budget monitoring reports and monitor the income and expenditure of the Council and report to Full Council on their findings.
- 5.2. Consider the draft annual budget and precept request for recommendation to Full Council.
- 5.3. Make recommendations to Full Council on the Council's banking, Council funds and investments and monitor risks to Council funds.
- 5.4. Make recommendations to Full Council for any other matters relating to finance issues.

### **Audit**

- 5.5. Receive and consider and approve the internal auditors report and take such action as may be necessary to comply with the internal auditor's recommendations. Findings to be reported to Full Council.
- 5.6. Establish and maintain a system of internal audit of all the Council's activities.
- 5.7. Conduct an annual review of the effectiveness of Internal Audit and Internal Control procedures for recommendation to Full Council.

### **Governance and Strategy**

- 5.8. Make recommendations to Full Council for new policies, procedures and protocols for the Council.
- 5.9. Periodically review existing policies, procedures and protocols for the Council.
- 5.10. Consider the Council's strategic plan for recommendation to Full Council.

### **Human Resources**

- 5.11. Consider, monitor, review and make recommendations to Full Council regarding employment policies, terms and conditions.
- 5.12. Consider, monitor, review, and make recommendations to Full Council regarding workforce strategy.

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- 5.13. Consider and make recommendations to Full Council regarding performance-related pay.
- 5.14. Monitor annual staff performance management and conduct the Clerk's annual appraisal.
- 5.15. Ensure that disciplinary or grievance matters are progressed in line with Council policy. Members of the Committee shall be appointed to a Hearing Panel or as a Hearing Manager in the event of any disciplinary or grievance issues arising.
- 5.16. Oversee the running of the Parish Office and Depot.
- 5.17. Make recommendations to Full Council for any other matters relating to HR issues.

#### **Complaints**

- 5.18. Ensure that complaints are progressed in line with Council policy. Members of the Committee shall be appointed to a Complaints Committee in the event of a complaint arising.

#### **Hearing Panels**

- 5.19. Three members of the committee will make up, as necessary, a panel required to hear disciplinary hearings for employees other than the Clerk.
- 5.20. The decision of the panel, including dismissal, will be binding and will not require additional ratification by either the Finance & HR Committee or the Full Council.
- 5.21. In the case of an appeal, three members of the Council that have not participated in the initial investigation or disciplinary hearing will be called upon to convene an appeal hearing.

#### **Delegated Authority to the Clerk**

- 5.22. Under Section 101 of the Local Government Act 1972, the Clerk has delegated power to undertake staffing matters as outlined in the Scheme of Delegation.
- 5.23. Under Section 101 of the Local Government Act 1972, the Clerk has delegated power to manage the Parish Council's land and property as outlined in the Scheme of Delegation.

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<b>TERMS OF REFERENCE</b>	<b>PLANNING &amp; HIGHWAYS COMMITTEE</b>
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**1. Purpose:**

- 1.1. The purpose of the Planning & Highways Committee is to:
  - 1.1.1. Consider and respond to planning applications and consultations relating to the Parish of Pembury.
  - 1.1.2. Work with third parties on highways, transportation and public rights of way issues relating to the Parish of Pembury.
  - 1.1.3. Oversee and monitor the control of Parish Council owned street furniture and streetlights.

**2. Membership**

- 2.1. The Committee shall consist of up to **SIX** Councillors who shall be elected each year at the Annual Parish Council meeting.
- 2.2. The Chair and Vice Chair of the Council shall be ex-officio members of the Committee. For the avoidance of doubt, they can attend, vote and be counted towards the quorum, in the same way as any other Committee member.
- 2.3. The quorum of the Committee is **THREE** Members.

**3. Procedures**

- 3.1. The Committee will operate within the Council's Standing Orders and Local Government Law.
- 3.2. The Chair and Vice Chair for the forthcoming year shall be elected at the Annual Parish Council Meeting. The Chair and Vice Chair may be re-elected.
- 3.3. The Committee will submit all of its minutes of meetings for ratification to the next appropriate meeting of Full Council
- 3.4. The Clerk and/or Communications Officer will provide administrative support for the Committee.

**4. Meeting Dates**

- 4.1. The schedule of meetings shall be agreed at the Annual Parish Council meeting.
- 4.2. The Committee shall meet once every month in the Council Office, Lower Green Recreation Ground, Pembury TN2 4DZ unless otherwise agreed.



## **5. Delegated Powers**

### **Planning**

- 5.1 Exercise the powers and duties of the Council in respect of the powers conferred to it from time to time under the Town and Country Planning Acts and the Orders and Regulations made under them.
- 5.2 Decide the Council's responses to consultations on planning applications received from Tunbridge Wells Borough Council and from Kent County Council and forward them in writing to the appropriate authority.
- 5.3 Attend site visits as appropriate for planning applications affecting Pembury and in accordance with agreed protocols.
- 5.4 Make recommendations to Full Council on statutory and non-statutory planning policy documents.
- 5.5 Select from its membership, a person or persons to represent the Council's previously agreed views at planning site meetings, public enquiries etc.
- 5.6 Consider and put forward recommendations to the Council on the Tunbridge Wells Borough Local Plan.
- 5.7 Monitor the application of the Neighbourhood Development Plan (NDP) policies to ensure they have been applied consistently and interpreted correctly in response to planning applications both by this committee and the Tunbridge Wells Borough Council.
- 5.8 Maintain a watching brief on national planning guidance and any changes to the Tunbridge Wells Local Plan, and considering any impact that changes have on the NDP. Accordingly, as required, making recommendations to the Council for a light-touch or more fundamental review of the NDP.
- 5.9 Monitor and comment upon, where appropriate, the proposed erection of telecommunication masts, power lines and other similar structures
- 5.10 Consider and take action on all other matters that are of a general nature relating to the Town and Country Planning Acts and related legislation.

### **Highways and Public Rights of Way**

- 5.11 Consider road schemes relating to new highway proposals or improvements to existing roads.
- 5.12 Consider and formulate a response if appropriate on highway consultations and information documents from relevant authorities and organisations.

- 5.13 Select from its membership, a person or persons to represent the Council's previously agreed views at highways site meetings, public enquiries, Public Transport Liaison Group etc.
- 5.14 Consider and take action on all other matters that are of a general nature relating to the highway network within Pembury.

#### **Transportation**

- 5.15 Monitor and comment upon public transport affecting Pembury.
- 5.16 Consider and formulate a response if appropriate on transportation consultation and information documents from relevant authorities and organisations.
- 5.17 Monitor public footpaths and public rights of way and formulate a response, if appropriate, on public consultation and information documents from relevant authorities and organisations.

#### **Street Furniture**

- 5.18 Oversee and monitor the control of all Council owned street furniture in Pembury such as benches and bus shelters. An annual review to be undertaken.
- 5.19 Oversee and monitor the control of Council owned streetlights.

#### **Delegated Authority to the Clerk**

- 5.20 Under Section 101 of the Local Government Act 1972, the Clerk has delegated power to formulate and submit planning responses as outlined in the Scheme of Delegation.
- 5.21 Under Section 101 of the Local Government Act 1972, the Clerk has delegated power to manage the day-to-day management of operational matters as outlined in the Scheme of Delegation.

## TERMS OF REFERENCE

## OPEN SPACES COMMITTEE

### 1. Purpose:

- 1.1. The purpose of the Open Spaces Committee is to:
  - 1.1.1. Oversee and monitor the management of the Council's operations, services, and facilities.
  - 1.1.2. Consider improvements to the Council's facilities for recommendation to Full Council.

### 2. Membership

- 2.1. The Committee shall consist of up to **SIX** Councillors who shall be elected each year at the Annual Parish Council meeting.
- 2.2. The Chair and Vice Chair of the Council shall be ex-officio members of the Committee. For the avoidance of doubt, they can attend, vote and be counted towards the quorum, in the same way as any other Committee member.
- 2.3. The quorum of the Committee is **THREE** Members.

### 3. Procedures

- 3.1. The Committee will operate within the Council's Standing Orders and Local Government Law.
- 3.2. The Chair and Vice Chair for the forthcoming year shall be elected at the Annual Parish Council Meeting. The Chair and Vice Chair may be re-elected.
- 3.3. The Committee will submit all of its minutes of meetings for ratification to the next appropriate meeting of Full Council
- 3.4. The Assistant Clerk and/or Communications Officer will provide administrative support for the Committee.

### 4. Meeting Dates

- 4.1. The schedule of meetings shall be agreed at the Annual Parish Council meeting.
- 4.2. The Committee shall meet once a quarter in the Council Office, Lower Green Recreation Ground, Pembury TN2 4DZ unless otherwise agreed.

### 5. Delegated Powers

- 5.1. Review the terms and conditions and charges for pitch hire of Lower Green Recreation Ground and Woodside Playing Fields on an annual basis.
- 5.2. Review the terms and conditions and burial fees for Pembury Burial Ground on an annual basis.
- 5.3. Oversee the management and maintenance of Lower Green Recreation Ground and Woodside Playing Fields to ensure it is in line with Council policy and approved budgets.
- 5.4. Make recommendations to Full Council for making improvements to Lower Green Recreation Ground and Woodside Playing Fields and request necessary budgets from Full Council as required.
- 5.5. Purchase and maintain all vehicles, machinery and tools as required to carry out the management and maintenance of all areas under the Committee's control within approved plans and budgets. Request necessary budgets from Full Council as required.
- 5.6. Make recommendations to Full Council for the development of all the recreation facilities in Lower Green Recreation Ground and Woodside Playing Field.
- 5.7. Make recommendations for the drawing up/updating and application of bylaws for relevant Council owned land.
- 5.8. Oversee the management and maintenance of the Council's cemeteries and burial grounds to ensure it is in line with Council policy and approved budgets.
- 5.9. Oversee the management and maintenance of the Village Green, War Memorial, Old Coach Road and other Council owned open spaces in the parish in line with Council policy and approved budgets.
- 5.10. Oversee the management and maintenance of the allotment site in line with Council policy and approved budgets.
- 5.11. Oversee the management and maintenance of trees and hedges on all Council owned land in line with Council policy and approved budgets.
- 5.12. Consider future requirements and request necessary budgets each year for recommendation to Full Council.
- 5.13. Oversee approved projects ensuring they are within approved budgets.
- 5.14. Liaise with local sporting clubs and maintain good working relationships.
- 5.15. Oversee the agreed floral displays in the Parish within budget working with the Community Gardening group on joint projects as appropriate.
- 5.16. Oversee litter and waste matters.

### **Delegated Authority**

- Under section 101 of the Local Government Act 1972 the Clerk has delegated power to manage all Council services and facilities as outlined in the Scheme of Delegation.