



TERMS of REFERENCE & DELEGATION SCHEME

Pirton Parish Council

Adopted: 11th December 2014

Doc014.

Chairman: P.Waters

Re-Assessed (date)	Signed (Chairman)
12 th February 2015	P.Waters
12 th May 2016	R.Diane Bailey
11 th May 2017	A.Smith
09 May 2019	J Rogers
12 March 2020	J Rogers
14 May 2020	J Rogers
11 Nov 2021	J Rogers
13 Oct 2022	J Rogers
11.05.2023	J Rogers

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Revised 17 Apr 19	RecDev Working Group added
Revised 12 Mar 20	HR & Environment Committees added, Planning and NPSG revised, PSSC removed
Approved 14 May 2020	Final version incorporating amendments
Revised 15 Feb 21	Added Arboreal and Communications Working Groups
Revised 16 Mar 21	Reduction in numbers generally as agreed at Mar 21 Council meeting
Revised 5 May 21	Amended paragraph added in error on 16 Mar 21 re "conflict of interest" by Chair of RecDevWG removed as not approved by the Parish Council
Revised 11 Nov 21	RecDevWG section deleted, Replaced with New Pavilion Working Group (NPWG). Approved Minute 21-144 dtd 11.11.21
Revised 10 Feb 22	Arboreal Working Group removed. Minute 21-226 10.02.022
Revised 13 Oct 22	New Pavilion Funding Working Group added Pirton Neighbourhood Plan Steering Group removed

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1. Decision Making

The Full Council can take all decisions on behalf of the Parish Council, or it may appoint one or more committees for the purpose of discharging any of its functions.

This document sets out the Terms of Reference and delegated Authority for each Committee and the Terms of Reference for each Working Group.

2. Matters to be Resolved Only by Full Council

- a To approve the Annual Budget and the Precept.
- b To approve the End of Year Accounts and Annual Return.
- c Adoption of new policies.
- d To maintain Standing Orders and Financial Regulations.
- e To maintain the Council's other Policy Documents.
- f To review annually the Council's Risk Assessment.
- g To determine the functions and constitution (terms of reference and delegated authority) of Committees and Working Groups.
- h To determine the Committee structure annually at the Annual Parish Council Meeting.
- i To appoint representatives on outside bodies annually at the Annual Parish Council Meeting and fill vacancies that occur during the year.
- j The setting up of Working Groups (including the Committee to which they should report).
- k To set the Calendar of Meetings of the Council and its Committees.
- l To fill vacancies occurring on any Committee or Full Council.
- m To approve the borrowing of money and loan applications.
- n To award Contracts following a Tendering Process.
- o To deal with matters that do not fall within the province of any Committee and such other matters as may be referred to the Full Council by a Committee.

3. List of Parish Council Committees

- a Environment Committee
- b Human Resources Committee

4. List of Parish Council Working Groups

- a Communications Working Group
- b Planning Working Group
- c New Pavilion Working Group (NPWG)
- d New Pavilion Funding Working Group (NPFWG)
- e S106 Working Group
- f Youth Council (PYC)

5. General Rules Governing Committees

- a Each Committee must have at least one Parish Councillor as a Member.
- b Minutes from Committee Meetings must be submitted to the Parish Clerk.
- c The Agenda for Committee Meetings must be circulated in advance to all Councillors and the Parish Clerk.
- d Three clear days' notice of Committee Meetings must be given to the press and public, who shall be invited to attend.

6. General Rules Governing Working Groups

- a Working Groups may consist entirely of non-Councillors.
- b The Groups shall decide when they will meet and the location for the meeting.
- c Minutes from Working Group Meetings must be submitted to the Parish Clerk.
- d The Groups shall make recommendations to the Parish Council to assist them in their decision-making.
- e The Groups themselves have no authority to take decisions on behalf of the Council.

7. Powers Delegated to the Clerk

- a The Clerk shall have the authority to issue Parking Permits to residents of Great Green who submit a valid application (including the selection of which parking spot to allocate). He may also issue licences to residents to drive across the track to access their properties.

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Environment Committee

The Pirton Parish Environment Committee (PPEC) will consist of 3 Pirton Parish Councillors and be responsible for all advice and recommendations to the Pirton Parish Council on the physical condition of the village and wider parish and on any necessary work to maintain a good environment. It will meet a minimum of 4 times a year, plus as and when required to address urgent issues.

Members:

1. Membership shall comprise of 3 Pirton Parish Council (PPC) members. The Chair of the Pirton Parish Council may be an ex officio member.
2. Membership of the committee will be established at the Annual Meeting of the Pirton Parish Council.
3. The Committee shall elect a Chair for each civic year
4. Co-opted members may join the committee during the year if authorised by the Council.
5. Three members of the Committee shall constitute a quorum for meetings.

Specific Delegated Powers:

6. Seek to resolve issues regarding car parking in the village;
7. Protect, as far as possible, the rural nature of the village
8. Ensure the proper maintenance of footpaths, stiles, bridges and verges (see information below);
9. Check on the condition of hedges and trees to ensure these do not cause an obstruction;
10. Seek to ensure that allotments are maintained in good condition;
11. Ensure that trees on property owned by the Parish Council are properly maintained and do not cause an obstruction
12. Monitor the condition of Blacksmith's Pond and advise the PPC on any remedial work/enhancements necessary
13. Monitor the condition of street furniture in and around the village and advise the PPC of any issues
14. Mowing and hedge-cutting of PPC managed land.
15. Maintenance of children's play areas and equipment.
16. Liaise with Human Resources Committee to establish village handyman work schedules.
17. Monitor highways and highway furniture (road signs, etc.) and report problems and where appropriate draw in views from the wider parish to determine possible solutions.

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18. Maintain and keep bus shelters tidy.
19. Monitor dog bins and salt bins and liaise with dog warden

Accountability:

20. The Committee is accountable to the PPC and will make reports to it monthly
21. An annual report on its activity will be published through the Annual Parish meeting

Pirton Parish Paths Partnership (P3)

P3 is an Agreement between the PPC and the Countryside Management Services (CMS) representing the Highways Authority – Hertfordshire County Council (HCC).

The PPC nominates one Councillor as their representative to P3. This Councillor shall be a member of the Environment Committee. The PPEC will liaise with the CMS and HCC under the terms of the Agreement and in consultation with CMS and HCC will advise the PPC on the carrying out of works relating to Public Rights of Way, in particular relating to four areas of activity:

- a. Condition surveys and inspections
- b. Improvement works
- c. Publicity and information
- d. Events and activities to encourage use

In return for the carrying out of any works so identified, the PPC may apply for an annual grant from HCC to carry out work on the Pirton Parish Rights of Way.

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Human Resources Committee

The Human Resources (HR) Committee will consist of 3 Councillors and be responsible for all staffing matters. It will meet a minimum of twice a year, plus as and when required to ensure that Pirton Parish Council (PPC) complies with the requirements and obligations of employment law and follows best practice in providing good working conditions for staff.

Pirton Parish Council Members:

1. Membership shall comprise of 3 Parish Council members. The Chair of the PPC may be an ex officio member.
2. Membership of the committee will be established at the Annual Meeting of the Council
3. The Committee shall elect a Chair for each civic year
4. Co-opted members may join the committee during the year if authorised by the Council.
5. Three members of the Committee shall constitute a quorum for meetings.

Specific Delegated Powers:

The PPC recognises it has a duty of care to its employees and the HR Committee will be responsible in particular for the following: -

1. To establish and keep under review the staffing structure in consultation with the Full PPC.
2. To agree and review annually contracts of employment, job descriptions and person specifications for staff and to manage employee rights relating to leave, time off, family rights, pay and illness.
3. To appoint from its membership a recruitment panel when necessary and recommend appointments to the PPC regarding the recruitment of the Parish Clerk, and to be involved as necessary in the recruitment of other staff as required
4. To establish and review performance management including annual appraisals and staff development arrangements
5. To review, and monitor grievance and disciplinary policies and procedures periodically and at least every two years and to recommend changes when necessary to the full PPC.
6. To ensure that the Clerk is supported and has everything required for managing other staff
7. To make appropriate staff training provision
8. To keep under review staff working conditions and health and safety matters

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9. To ensure that suitable investigations are undertaken into any relevant grievance or disciplinary matters; to appoint a sub-committee to serve as the disciplinary or grievance panel to hear these matters as and when appropriate; to agree the Members to sit on an appeals panel to hear appeals against a grievance or disciplinary decision as and when appropriate

10. To practice and promote fair and equal treatment of all employees of the PPC throughout the performance of all PPC activities and ensure that no discrimination, harassment or bullying takes place against any member of staff.

Additional Conditions:

1. Due to the confidential nature of some of the business before the HR Committee it may be necessary to hold meetings, or part thereof, in private in pursuance of Public Bodies (Admission to Meetings) Act 1960 sec.1 as amended by the Openness of Local Government Regulations 2014. This can be done part way through the meeting.
2. Minutes will be an agenda item and presented for noting at the next Pirton Parish Council meeting

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Communications Working Group

Purpose

The Communications Working Group (CWG) has a parish wide role concerning the following:

To identify the most appropriate methods with which the Parish Council (PC) can engage and communicate with local parishioners and all other relevant stakeholders, ensuring:

- 1: the local community is kept informed with what the PC actually does
- 2: the local community can effectively communicate with the PC so that they can be involved in decisions which affect them and the rest of the Parish

Its scope will also include supporting the Parish Clerk, who manages the Pirton Parish Council website, ensuring information is easily accessible and engaging.

The CWG will actively seek recommendations from other local Parish Councils, and attend any Communications seminars to ensure best practice/latest ways of working are reviewed and adopted as appropriated.

General

Meetings: The Communications Working Group CWG will meet at least 4 times each year, or whenever necessary and (to also include email consultation as required).

Minutes: CWG meetings will be subject to an agenda, and will be followed by minutes in good time, and be provided to the PC Clerk. Meetings do not have to be in public

Membership: a minimum of 2 Members drawn from the Parish Council. The CWG may co-opt additional members from residents in Pirton, on a permanent or a temporary basis with all recommendations requiring PC approval.

Quorum: to be either -

- a) two Pirton Parish councillors or
- b) three members one of which must be a Pirton Parish councillor.

Declaration of Interest: The Rules relating to Declarations of Interest shall apply to all meetings of the CWG

Conduct: All Members of the CWG must follow the Pirton Parish Code of Conduct. Whilst differences of opinion between CWG members is expected, and even welcomed when expressed in a respectful way, as different views often lead to better results, all CWG members must accept the purpose and duties of the CWG and the constraints under which it is deemed to operate. Any Members deemed to be acting in a manner contrary to achieving the purpose and the duties expected of them, will be required to leave the CWG. Pirton Parish Council reserves the right to remove

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any member of the CWG who in the council's opinion, has not complied with its Code of Conduct or these Terms of Reference.

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Planning Working Group

General

The Planning Working Group will meet when necessary. Meetings shall be scheduled to meet deadlines set by the Planning Authority.

External Attendees shall be invited to attend meetings as required

Membership: There will be a minimum of 3 members of the Planning Working Group. At least 2 members will be members of the Council. The third member, whether Councillor or not, must be a member of the Pirton Neighbourhood Plan Steering Group.

Quorum: Three

Chairman: The Working Group members shall elect a Chair to present the Working Group's recommendations to the full Council

Terms of Reference

1. To consider all Planning Applications referred to the Pirton Parish Council by the Local Planning Authority or identified by the Working Group as relevant to Pirton.
2. To identify, keep under consideration and advise the PPC on potential planning applications/developments that are relevant to Pirton
3. The Working Group shall take whatever actions are necessary to enable them to recommend a course of action to full Council meetings. These may include meetings of the Working Group, site visits, verbal or email correspondence etc.
4. If the Working Group cannot agree a unanimous response on a particular application, they must report their differences of opinion to the next Parish Council meeting.

Delegated Authority

1. The Working Group shall make a recommendation to a full Council meeting of what the Council's response should be to planning applications.
2. The Parish Council's response to the Local Planning Authority shall be decided by vote at a full Council Meeting.

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New Pavilion Working Group (NPWG)

Purpose: To advise the PPC on the actions required to progress the new pavilion project to the completion of Phase 2 in line with the Development Project Plan that was approved by the PPC on 11 November 2021. To manage the project processes to achieve completion of Phase 2 for the PPC.

Composition

The NPWG will comprise a minimum of three PPC Councillors, and up to four members nominated by the Pirton Sports and Social Club (PSSC) representing input from the Football Club, Cricket Club, Tennis Club, and other affiliated sports groups and social/other users.

No individual sports group shall have more than one member on the NPWG.

The NPWG may co-opt other non-voting members of the public including technical specialists for their expertise in the project.

The RWG will be chaired by a PPC Councillor.

Final approval of Membership of the NPWG will rest with the PPC.

Meetings

The NPWG will generally meet once per month. Additional meetings to be held as necessary.

Every meeting shall have a clear agenda circulated at least 3 days in advance of the meeting. All meetings will be minuted and the outcomes reported to the PPC.

Minutes shall be available to the PPC as required.

All decisions shall be recorded by way of resolution and a vote by those present at the meeting. In the event of a tied vote the Chair shall have the casting vote.

Other Members of the PPC will have the right to attend as Observers, and participate in the discussions, but such PPC Observers will not be allowed to vote on any NPWG resolution.

In the event that a member of the NPWG cannot attend a meeting they may substitute an alternate provided that such member confirms the delegation in writing prior to the meeting and/or in the case of a PPC delegate to another member of the PPC.

To constitute a quorum there must be a minimum of three NPWG members (or their alternate or delegate) in attendance, one of which must be a PPC Councillor.

Finance

All financial commitments/decisions will require PPC approval.

All decisions on tender selection, contract letting and variations/changes and submissions for grants, approvals etc. will require PPC approval.

NPWG Remit

To facilitate the completion of Phase 2 of the Development Project Plan.

This shall include:

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1. To manage the Tender process for selecting the contractor or contractors for the production of detailed drawings and other documents for obtaining planning permission.
2. To propose to the PPC the recommended contractor or contractors.
3. To manage the contract on behalf of the PPC.
4. To recommend the contract outputs to the PPC for approval and submission for planning permission approval.
5. To propose a draft remit/terms of reference for Phase 3 of the project to the PPC for approval.
6. To propose to the PPC the process for seeking funding, including informal and formal grant funding applications.
7. With delegated authority from the PPC to make informal and formal submissions for grants (with PPC's approval).

Should the NPWG wish the above remit to be modified, it shall submit a written proposal to the PPC for approval.

Conduct

The conduct of members of the WG will be subject to the core principles of the Pirton Parish Council Code of Conduct. These are shown below.

Whilst differences of opinion between WG members are expected, and even welcomed when expressed in a respectful way (as different views often lead to better results), all NPWG members must accept the purpose and duties of the NPWG and the constraints under which it is deemed to operate. Any members deemed to be acting in a manner contrary to achieving the purpose and duties expected of them, may be required to leave the NPWG. The PPC reserves the right to remove any member of the NPWG who in the PPC's opinion, has not complied with the core principles of the Code of Conduct, or these Terms of Reference.

Code of conduct core principles:

To uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed:

In accordance with the public trust placed in me, on all occasions

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person

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- I avoid conflicts of interest
- I exercise reasonable care and diligence; and

- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

The Code applies to all forms of communication and interaction, including: • at face-to-face meetings

- at online or telephone meetings • in written communication
- in verbal communication
- in non-verbal communication

- in electronic and social media communication, posts, statements and comments.

Bullying, harassment and discrimination:

- I do not bully any person.
- I do not harass any person.
- I promote equalities and do not discriminate unlawfully against any person.

Impartiality and knowledge use

- I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.
- I do not improperly use knowledge gained solely as a result of my role for the advancement of myself, my friends, my family members, my employer or my business interests.
- I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Gifts and hospitality

- I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- I register with the Chairman any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
- I register with the Chairman any significant gift or hospitality that I have been offered but have refused to accept.

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New Pavilion Funding Working Group (NPfWG)

Purpose: To carry out fund raising activities for the new pavilion as agreed by the PPC, and provide advice to the NPfWG and PPC on potential fund-raising activities and opportunities.

Composition

The NPfWG will comprise a number of members (notionally 4, but could be less, or ideally more) any number of which may be PPC Councillors. The Chair will be proposed by the members. Final approval of Membership and Chair of the NPfWG will rest with the PPC.

Meetings

The NPfWG will meet at intervals as required. A written report on activities, suggestions and progress will be made to each PPC meeting, and to the NPfWG. Members of the PPC will have the right to attend as Observers, and participate in the discussions. To constitute a quorum there must be a minimum of two NPfWG members in attendance.

Accountability

The NPfWG will be fully accountable to the PPC. Applications for grants will be made by the group, following agreement in principle by the PPC. Any significant commitments will require PPC approval. The PPC Clerk will receive all funds, and maintain records, and thank supporters on behalf of the PPC.

NPfWG Remit

To facilitate the raising of funds for the new pavilion. This shall include:

- a. Applying for grants.
- b. Seeking sponsorship and donations.
- c. Organising fund-raising events.
- d. Facilitating loan applications.
- e. Facilitating the payment of S106 funds.
- f. Publicising fund-raising progress, events, and requests for funding.

Should the NPfWG wish the above remit to be modified, it shall submit a written proposal to the PPC for approval.

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Conduct

The conduct of members of the WG will be subject to the core principles of the Pirton Parish Council Code of Conduct. These are shown below. Whilst differences of opinion between WG members are expected, and even welcomed when expressed in a respectful way (as different views often lead to better results), all NPfWG members must accept the purpose and duties of the NPfWG and the constraints under which it is deemed to operate. Any members deemed to be acting in a manner contrary to achieving the purpose and duties expected of them, may be required to leave the NPfWG. The PPC reserves the right to remove any member of the NPfWG who in the PPC's opinion, has not complied with the core principles of the Code of Conduct, or these Terms of Reference.

Code of conduct core principles:

To uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed:

In accordance with the public trust placed in me, on all occasions

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

The Code applies to all forms of communication and interaction, including: • at face-to-face meetings

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- at online or telephone meetings • in written communication
- in verbal communication
- in non-verbal communication

- in electronic and social media communication, posts, statements and comments.

Bullying, harassment and discrimination:

- I do not bully any person.
- I do not harass any person.
- I promote equalities and do not discriminate unlawfully against any person.

Impartiality and knowledge use

- I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.
- I do not improperly use knowledge gained solely as a result of my role for the advancement of myself, my friends, my family members, my employer or my business interests.
- I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Gifts and hospitality

- I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- I register with the Chairman any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
- I register with the Chairman any significant gift or hospitality that I have been offered but have refused to accept.

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S106 Working Group

General

The S106 Working Group will meet when necessary. It will report to the Full Council.

The quorum of the Working Group should be 3 Members.

Terms of Reference

The S106 Working Group shall undertake the following role and functions:

To establish what funding is available at any one time to Pirton Parish Council through S106 funding or Unilateral Undertakings (UUs)

To recommend to the Council how the funds available may be used for the benefit of the residents of the Parish.

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Youth Council (PYC)

General

Youth Council will meet once a month during school term time with further meetings arranged in the school holidays when necessary.

Minutes of all Youth Council meeting will be forwarded to the Clerk to the Parish Council.

Youth Council will be supported by at least one Parish Councillor with additional support from other Parish Councillors to meet Safeguarding requirements.

Membership will consist of up to 10 Youth Councillors representing a mix of young people from school Years 7 to 13 with older Youth Councillors being allowed to continue up to the age of 23 if willing.

The quorum at Youth Council meetings will be three.

The Chairperson of the meeting shall be the supporting Parish Councillor.

Youth Council will report to the Parish Council via the supporting Parish Councillor.

Terms of Reference

Mission Statement:

“Enhancing village life for the young people of Pirton”

Youth Council will meet to discuss issues relating to the young people of Pirton.

Delegated Authority

1. Youth Council shall have the authority to spend funds ring-fenced within the Parish Council accounts under the project heading of Pirton Youth Council.
2. Youth Council will arrange fundraising events for the furtherance of youth events and facilities in Pirton.
3. Youth Council will arrange information events which may be of interest to the young people of Pirton.
4. Youth Council will appoint a member to the Management Committee of Pirton Youth Club.