

The Parish Council and Committees of the Council

The Parish Council is a **corporate body** with a legal existence of its own quite separate from that of its members. Its decisions are the responsibility of the **whole body**. The Council has been granted powers by Parliament and is an elected tier of local government. It can be taken to court and, **as a body**, is responsible for its actions. **No individual** Councillor can undertake any action or enter into any agreements with third parties without the **prior** consent of the whole Council.

All members of the Council will normally be expected to serve on at least two of the committees appointed by the Full council to carry out the day to day running of the various amenities that are the administrative responsibility of the parish.

No Committee has any delegated powers, apart from the Planning and Conservation Committee and **all** recommendations must be considered and adopted by the **Full Council**, unless specific authority is granted by the Full Council to a sub-committee to make a decision

Each of the committees, apart from the Policy and Finance Committee which is chaired by the Council Chairman, will appoint its own chairman and vice chairman. Chairmen of the committees are reminded that at the Full Council meeting on the last Thursday of the month, the minutes of their committee are for ratification only. Please remember that only items that need to be highlighted need to be mentioned followed by questions from other members as required.

All councillors should attend meetings on time as a matter of courtesy. If a councillor knows that he/she is going to be late the Clerk needs to be informed (there is an answer phone in the office). The Clerk must be informed of any apologies so that it can be established if there will be a quorum. Apologies should be submitted either in writing, by telephone or at a previous meeting, prior to the date of the meeting and a reason for non-attendance given. Also any councillor wishing to leave a meeting early should inform the Clerk or Chairman at the beginning of the meeting.

Councillors conduct at meetings – Councillors are reminded that they should speak through the Chair to avoid undue discussions outside the agenda item and must abide by the Code of Conduct at all times. Full Council meetings are formal events and all councillors are expected to attend.

For items that are contentious or an important major policy making issue, **all** councillors should attend when requested. No councillor should leave the meeting for any reason as voting on these issues is of primary importance.

If a Parish Councillor attends either a meeting of the Wiltshire Council Planning Committee or other outside body, that Councillor should not represent two opposing views. If there is a conflict of interests, an alternative representative should be sought to present the opposing point of view unless

there is no-one else available to do so. This will apply to all Councillors and Committees

The committees of the Council are as follows:

1. **Box Hill & Rudloe Open Spaces Committee** – responsible for the management of the eleven acres of land which were purchased for the use of the whole parish. The committee should include the members for the Box Hill Ward and can include non-councillors who reside near the common and are interested in assisting in its management. The non-councillors would not have voting rights. Committee Chairman to liaise with the Open Spaces Groundsman and Open Spaces Groundsman's Assistant insofar as it affects Box Hill Common and Lacy Wood. This committee will also have responsibility for the management of the play area and football posts at Rudloe

This committee is also responsible for the management of over 104 footpaths, bridleways and rights of way in the parish, striving to keep them clear and viable and for any issues which arise concerning Rudloe. It will notify WC of defective stiles, signs or infringements by users or landowners. A Cotswold Warden can also sit on the committee.

2. **Cemetery Management Committee** – responsible for the upkeep of the Cemetery including the Lodge, Chapel and War Memorial and also for all labour employed in connection with the maintenance of the Cemetery. In the summer months there is a pre-meeting walk round. To set the charges for interments etc.

3. **Planning and Conservation Committee** – responsible for making comments and recommendations to the Wiltshire Council Planning Authority on behalf of the Parish Council on all Planning applications within the parish. The Wiltshire Council makes the decisions on all applications. This committee also considers any matters relating to conservation and the environment in general. This committee has delegated powers to make decisions on the applications and notify these decisions to Wiltshire Council without ratification by the Full Council. The Neighbourhood Plan Steering Group will report to this committee

4. **Playing Fields & Pavilion Committee** – responsible for the Recreation Field, including play equipment on the Recreation Ground, the bowls pavilion, tennis courts and all other facilities. Committee Chairman to liaise with the Open Spaces Groundsman and Open Spaces Groundsman's Assistant insofar as it affects the Recreation Ground. In the summer months the committee meets on the Recreation Ground for a walkround prior to the meeting. A representative of the Box Allotment Group can sit on the Committee to discuss

This Committee is also responsible for the management and maintenance of the pavilion. To oversee the lettings, which are

managed by the Clerk, and to set the charges for letting accordingly. The Committee will comprise members of the Parish Council together with representatives from the user groups who can attend to raise issues relating to their use of the building. The non-councillors would not have voting rights

5. **Personnel Committee** – this committee comprises the Parish Council Chairman and vice chairman together with the Playing Fields & Pavilion Committee Chairman and the Box Hill and Rudloe Committee Chairman. The Committee will be responsible for all matters relating to Council personnel including staff appraisals, salary negotiations, disciplinary matters etc. All reports from this Committee will be treated as Confidential
6. **Policy and Finance Committee** – this is the main committee of the Council which considers all matters of policy making, legal matters, all matters not covered by other committees and finance, for consideration by the Full Council. This committee comprises the Chairman and Vice Chairman of the Council and the Chairmen of all the above committees plus one other Councillor

All Committees to monitor their budgets and include any items for future expenditure in the forward plan.

Responsibility of Chairman and Committee Chairmen

1. **Council Chairman** The Council Chairman will chair the main Full Council meetings and be Chair of the Policy & Finance Committee. The Chairman is in charge during Council meetings and must command respect. The Chairman has a duty to ensure that all decisions are lawful and should involve all councillors in discussion. In law, the chairman has few special powers. It is unlawful for a council to delegate decision making to any individual councillor and the chairman is no different. However, when a vote is tied, the chairman has a second, or casting vote, ensuring that a decision can be made. It is good practice for the Chairman to refer to the Clerk for advice. The Chairman should liaise with the Clerk on a day to day basis to keep abreast of all Council issues. It is advisable for the Chairman to meet with the Clerk prior to Full Council and Policy & Finance meetings.

The Chairman should also be familiar with the work of the Clerk, particularly the procedure for Burials, financial matters etc and should be aware of the procedure to deal with unplanned absence of a member of staff.

The Council Chairman should be prepared to attend all the Council and Committee meetings.

2. **Committee Chairmen**; The Committee Chairmen should liaise with the Clerk prior to a Committee meeting to draw up the Agenda for the meeting and to be up to date with issues which might arise during the meetings.

In particular, the Cemetery Management Committee Chairman must be fully aware of the procedure for any interments and be able to deal with this in the Clerk's absence.

The Playing Fields & Pavilion Committee Chairman must be fully aware of the procedure for dealing with the Pavilion bookings and be able to deal with this in the Clerk's absence.

The Playing Fields & Pavilion Committee Chairman should meet regularly with the Open Spaces Groundsman and the Open Spaces Groundsman's Assistant and carry out regular inspections of the Recreation Ground.

The Planning Committee Chairman must have a sound knowledge of the entirety of the Parish and a comprehensive knowledge of the Green Belt, Area of Outstanding Natural Beauty, Limit of Development and the Conservation Area and will need to read and understand the Core Strategy and be familiar with the core policies affecting the parish. The Chairman should also be aware of the various types of planning applications. The Chairman should liaise with the Clerk on a regular basis and be willing to go and look at the sites for the planning applications as they are received.

The Box Hill & Rudloe Open Spaces Committee Chairman should meet with the Open Spaces Groundsman and the Open Spaces Groundsman's Assistant on a regular basis to discuss the management of the Common and surrounding areas.

Vice Chairmen: In the absence of the Committee Chairman at a meeting, the Vice Chairman would chair that meeting. In the event of the Chairman of a Committee resigning, the Vice Chairman would automatically take over the role of Chairman, and a new Vice Chairman be elected, until the next Annual Council meeting.

Role of the Parish Clerk

The Clerk provides advice and administrative support to the Council and takes action to implement Council decisions. The Clerk may have to act as a project manager, personnel director, public relations officer and finance administrator. The Clerk is not just a secretary and is not at the beck and call of the Chairman or other councillors – the Clerk is answerable only to the Council as a whole. The Clerk is the Proper Officer of the Council in law and is the Council's Responsible Financial Officer.

Legally Councils can agree to delegate decisions to clerks because they are professional officers whose independence allows them to act on behalf of the Council.

Tasks to be carried out by the Clerk are determined by Council and committee minutes and the Council's policies and procedures.

The Clerk will attend all Council and Committee meetings and be responsible for drawing up the Minutes from the meetings.

The Clerk is the line manager for the other members of staff and has direct responsibility for giving directions and overseeing their work patterns

The best councils will have a clerk and councillors who work as a team to provide a service for the community.

Reviewed: 26th September 2019

To be reviewed: September 2021