

# THURSTON PARISH COUNCIL

Parish Council Office  
New Green Centre  
New Green Avenue  
Thurston  
IP31 3TG

Tel: 01359 232854

e-mail: [info@thurstonparishcouncil.gov.uk](mailto:info@thurstonparishcouncil.gov.uk)

website: <http://thurston.suffolk.cloud>



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## TERMS OF REFERENCE FOR COMMITTEES

### 1.0 Introduction

This document defines the Terms of Reference for standing committees of Thurston Parish Council (The Council).

These Terms of Reference are in two parts:

- i. General Clauses which apply to all standing committees
- ii. Specific Clauses which apply to particular standing committees.

Where a Specific Clause differs from a General Clause, the Specific Clause will take precedence.

### 2.0 General Clauses

- 2.1 The Terms of Reference set out in this document are approved by the full council, and subject to amendment at future Council meetings.
- 2.2 The committees will operate in accordance with the Standing Orders of the council.
- 2.3 Full council will appoint the members and the Chair of the Committee (if applicable) in accordance with Standing Order 4.d.vii.
- 2.4 Meetings will be called with a minimum three clear days' public notice which will not include the day on which the notice is issued or the day of the meeting.
- 2.5 Items to be discussed at the meetings are limited to those that are included on the agenda for the meeting.
- 2.6 The Council's standing orders will determine the date, place, notices and other procedures to regulate the committee.
- 2.7 The Committees' duties are defined and agreed by full council, which may vote, at any time, to modify a committee's powers.

## **POLICY AND RESOURCES COMMITTEE**

### **Purpose of the committee:**

The committee is established to manage, maintain and improve the performance of the statutory powers and functions and related work of the parish council.

### **Membership:**

The Committee will consist of a minimum of six Councillors. The Chair of the Council will preside at each and future meetings. Any elected member can preside by agreement in the Chairman's absence. A quorum will be a minimum of five Committee members.

### **Record or Proceedings:**

Such meetings will be scheduled for the year and called by the Parish Clerk as Proper Officer to the Council. The Clerk will provide full administrative support for the Committee. Minutes of all meetings will be recorded by the Clerk, or any member nominated at the meeting. Written minutes will be taken to record the Committee's decisions and a report will be tabled at the next full Council Meeting which will be formally received and acknowledged.

### **Responsibilities:**

On behalf of the Council this shall include the following responsibilities:

1. To keep under review the statutory functions and powers and other legal responsibilities of the council on the council's behalf.
2. To advise the Council, following research or investigation, on changes required to its procedures and functions in light of new legislation coming forth.
3. To draft, implement, review, monitor and revise policies for the Council in light of new legislation coming forth.
4. To prepare budgets and recommend precepts and submit them to full Council for approval.
5. To ensure adequate financial controls are in place to utilize and protect the Council's finances and assets.
6. To review and amend the Council's Financial Regulations annually and to ensure that the Council is observing the regulations.
7. To monitor and effect compliance with laid down internal and external audit and other financial procedures, regulations and statutes.
8. To consider all complaints referred to the Committee, as submitted against the council's action or lack of action or about the standard of a service, whether the action was taken, or the service was provided by the council itself or a person or body acting on behalf of the council.
9. To ensure appropriate measures are in place to facilitate compliance with the Freedom of Information Act 2000.
10. If appropriate and upon resolution by the Council, to investigate the circumstances and the effect(s) of an information security incident (data breach) as described under the Council's Information Security Incident Policy.
11. To formally record the incident and the associated response relating to Item 10 above for submission to the Council and undertake any reviews as outlined in the Information Security Incident Policy.
12. To put forward to the Council, proposals for any improvements, developments or any capital expenditure when requesting funding for the following year.
13. To lead on and approve tenders for all aspects of maintenance of the parish and its functions in accordance with the Council's financial regulations.

14. To monitor, review, recommend on and consider all matters relating to the Council's staff, emoluments and conditions of service.
15. To monitor the Council's financial risk assessments and recommend changes where necessary.
16. To approve to Full Council such delegated powers to the Council's Committees as thought appropriate.
17. To appoint annually (or to reconfirm annually) the Responsible Financial Officer to oversee the Council's financial affairs (normally the Clerk).

## **PLANNING COMMITTEE**

### **Purpose of the Committee:**

The committee will prepare responses to all routine planning matters put before the Council. The Planning Committee is not the Local Planning Authority and as such does not have the power to refuse or allow planning applications. The Planning Committee on behalf of the Council is a statutory consultee in the planning process.

### **Membership:**

The Committee will consist of no fewer than seven councillors and the Chair of the Parish Council will preside over each and future meetings when in attendance. Any member of the Committee can preside by agreement in the Chairman's absence. A quorum will be five members.

All other members of the Parish Council have the right to attend the meeting and make representations on the matters being discussed within the Public Forum.

### **Records of Proceedings:**

Such meetings will be scheduled for the year and called by the Parish Clerk as Proper Officer to the Council. Written minutes will be taken to record the committee's decisions and will be received in draft form at the next full council meeting. Minutes will be formally signed at the next relevant Planning Committee Meeting.

The Proper Office will ask the Planning Officer of the Local Planning Authority to grant an extension of the time for consideration of an application if the application is received after the agenda has been set and cannot be amended and the closing date for comments is outside of the next 21 days.

The Parish Clerk will be responsible for arranging the recording and distribution of the minutes. All decisions will be relayed to the relevant planning authority by the Clerk. The Clerk will submit the Planning Committee's recommendations and supporting reasons to the Planning Authority or other relevant body and will ensure that communications arrive within the timescale required by the Planning Authority.

### **Responsibilities:**

The committee will be granted full delegated powers to make a council decision regarding responses to the appropriate authorities. It will therefore have the delegated authority to act as per the items below:

- a) To consider and provide a response, to the relevant Planning Authority, to all planning applications when notified under the Local Government Act 1972 Section

20, Schedule 16 or not, regardless of their size, controversial nature or effect on the parish.

- In considering matters before it, the committee will take into account the council's vision for the parish, local opinion and comments from third parties. They will base their response on relevant or 'material' planning considerations e.g. (in order of weight) and will have mind to:
    - material considerations which include referring to particular policies that Mid Suffolk District Council have adopted within their Local Plan
    - policies within the Thurston Neighbourhood Development Plan which was adopted by Mid Suffolk District Council on 24<sup>th</sup> October 2019.
    - the most relevant version of the Joint Babergh Mid Suffolk Local Plan workings at the following link:  
<https://www.midsuffolk.gov.uk/joint-local-plan>
    - National Planning Policy Framework:  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
  - The response will indicate whether the Council supports, has no comment or objects to the application and will be formed along the following lines:
    - support the application because it will have benefits for the parish, either now or in the future;
    - support the application but ask for details of the proposed development to be reconsidered and changed;
    - make "no comment", since the proposal's overall effect would be neutral or of little relevance to residents;
    - register an objection to the application, but suggest action that could be taken to address the objection, such as amending the proposal or attaching planning conditions or a planning obligation; or
    - request that the application be refused permission because of its adverse effects, which cannot be dealt with satisfactorily by using conditions or obligations.
- b) To nominate a representative from the Committee (or the Clerk if appropriate) to attend the Planning Authority's Planning Committee Management Committee and other meetings to represent the Council's views in respect of planning applications and other planning matters.
- c) To ensure any pre-application discussions follow the adopted Pre-Application Protocol with notes of such meetings being taken by the Clerk and circulated to the Committee.
- d) To comment on licenses when requested so to do.
- c) To comment on street naming where requested.

## **LEISURE AND ENVIRONMENT COMMITTEE**

### **Purpose of the committee:**

The committee is established to manage, maintain and improve the sports, recreational and leisure facilities on behalf of the council and protect and enhance the biodiversity and preserve the environment of the parish of Thurston.

### **Membership:**

The committee is to comprise a minimum of seven members of the council with a Chair who will be elected annually at the first meeting after the Annual Meeting of the Council. Five members of the Committee will constitute a quorum. The committee may nominate councillors to act as substitutes to ensure that all meetings are quorate.

### **Meetings:**

Meetings to occur on a monthly basis (except for December) and such meetings will be scheduled for the year and called by the Parish Clerk as Proper Officer to the Council. The Deputy Clerk will provide full administrative support for the Committee. Minutes of all meetings will be recorded by the Deputy Clerk, or any member nominated at the meeting. The written minutes, taken to record the committee's decisions, will be received in draft form at the next full council meeting.

### **Records of Proceedings:**

Minutes will be formally signed at the next relevant Leisure and Environment Committee Meeting.

The Council's Standing Orders on the rules of debate (except those relating to standing and to speaking more than once) and the Standing Order on interest of members in contracts and other matters will apply to this committee.

If the numbers of the Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum the meeting shall be adjourned, and any such business not transacted shall be transacted at the next meeting or on such other day as the Chairman shall arrange.

On occasions, the committee may be accorded temporary Delegated Powers under LGA 1972 s.101 with specific items on behalf of the Full Council under Resolution.

### **Responsibilities:**

Responsibilities of the committee:

1. To keep under review the provision of the sports and recreational facilities for the residents of Thurston at the following locations:
  - Play equipment at the Recreation Ground, Church Road
  - Recreational Park at New Green Centre
  - Recreational Ground at Heath Road
  - Public Open Space at New Green (as per the agreement between the New Green Trust and the Parish Council)
2. To oversee the upkeep, maintenance and improvement of the above areas, including trees, hedgerows, seats, signs and litter bins.
3. To ensure monthly inspection sheets are completed and submitted to the Deputy Clerk for the above areas, highlighting remedial action required.

4. To ensure that quarterly (where appropriate) and annual safety inspections are conducted to meet legal requirements for the above spaces.
5. To be responsible for overseeing the Parish Council's Health and Safety Policy in all areas that the Committee manages / oversees.
6. To lead on and submit tenders for approval to full Council for all aspects of maintenance and ground works for these areas in accordance with the Parish Council's financial regulations.
7. To proactively support the development of events on open spaces and identify opportunities for improvement.
8. To advise the Parish Council of the impact of proposals by owners or occupiers of land that may affect its recreational and sports facilities.
9. To review and recommend byelaws for the Parish Council's recreational, leisure and sports facilities.
10. To work in partnership with the Community Policing Team to alleviate anti-social behaviour and vandalism in/on the Parish Council's sports, leisure and recreational facilities.
11. To work in partnership with appropriate funding bodies to improve the Parish Council's recreational, leisure and sports facilities.
12. To put forward to the Parish Council, in conjunction with the Policy & Resources Committee, proposals for any improvements, developments or any capital expenditure when requesting funding for the following year.
13. Recommend to full Council the measures it considers necessary to be considered in order to enable the Council to respond to its position on the Climate Crisis.
14. Enable collaborative working across the Council and engagement with individuals, community groups and businesses as well as other partners in the district including young people.
15. Investigate steps that may be taken by the Council and by residents and businesses to help all work together to achieve the County's commitment to achieving net-zero carbon status by 2030 and the parish council's commitment to the protection and enhancement of biodiversity and to the preservation of the environment.
16. Research available data and information on relevant climate emergency impacts and make recommendations that would help to achieve the Council's climate and ecological objectives.
17. Identify and explore support from Central and Local Government in terms of funding, additional powers and policy changes which are needed to achieve climate and ecological objectives.
18. Make recommendations to Council on responses to any consultations on significant policy matters that directly affect Thurston.

## **EMERGENCY PLANNING COMMITTEE**

### **Purpose of the Committee:**

The committee is responsible for producing a directory to assist in the parish in case of an emergency. The Emergency Planning Committee is appointed by, and solely responsible to the Council. The Committee's duties are defined and agreed by Full Council, which may vote, at any time, to modify the Committee's powers.

### **Membership:**

The Committee will consist of no fewer than six Councillors and will elect a Chair to preside over each and future meetings. Any member of the Committee can preside by

agreement in the Chair's absence. A quorum will be a minimum of five members. The Chair of the Council will have automatic membership and full voting rights if in attendance.

### **Records of Proceedings:**

Meetings are to be held once a quarter with a review of the plan on a reasonable basis. The committee will prepare recommendations which will be circulated to all Councillors and taken to full Council. The Clerk will ensure all Clerking duties are available for the committee to function. Written minutes will be taken to record the Committee's decisions and will be received at the next full Council Committee Meeting and tabled as an appendix.

### **Responsibilities:**

Summarized versions of the directory along with relevant website links will be added to the parish website.

Within the directory it will:

- a) Identify temporary accommodation together with equipment and personnel within the parish that may be available during an emergency and work in partnership with District and County Council Emergency Planning teams to ensure this information is available to all;
- b) Liaise with other village groups as appropriate with regard to dealing with emergencies;
- c) Undertake a review of the effectiveness of the directory – as appropriate – following any emergency situation;
- d) Map out those areas that have become prone to flooding over the course of the previous year;
- e) Carry out an annual review of the status of the grit bins within the village;
- f) Review the documentation for inclusion on the parish website/Village Information Booklet;
- g) Any other issues as requested by the full Council.

## **RECREATION GROUND TRUST CHARITY COMMITTEE – Charity Number 304946**

### **Purpose of the Committee:**

The Committee holds Delegated Powers from the Council in the operation of the Recreation Ground Charity, which covers the recreation ground, car park and sports pavilion on Church Road. The Parish Council is the sole trustee of the Charity.

### **Membership**

The committee is to comprise a minimum of six members of the Parish Council with a Chairman who will be elected annually at the Statutory Annual Meeting of the Parish Council. Five members of the Committee will constitute a quorum. The Committee may nominate Councillors to act as substitutes to ensure that all meetings are quorate.

### **Recordings of Proceedings:**

All meetings relating to the Charity and its transactions will be taken at meetings specifically called for that purpose. All such meetings will be convened and clerked in accordance with basic Charity Law.

Meetings to occur on a monthly basis subject to any matters that may require attention or discussion. Such meetings will be scheduled for the year and called by the Parish Clerk as Proper Officer to the Council.

The Deputy Clerk will provide full administrative support for the Committee. Minutes of all meetings will be recorded by the Deputy Clerk, or any member nominated at the meeting.

The Council's Standing Orders on the rules of debate (except those relating to standing and to speaking more than once) and the Standing Order on interest of members in contracts and other matters will apply to this committee.

If the numbers of the Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum the meeting shall be adjourned, and any such business not transacted shall be transacted at the next meeting or on such other day as the Chairman shall arrange.

### **Responsibilities of the committee with regards to the Recreation Ground, Church Road**

1. To keep under review the provision of the sports and recreational facilities for the residents of Thurston at the Recreation Ground on Church Road.
2. To oversee the upkeep, maintenance and improvement of the above area, including trees, hedgerows, ownership/responsibility signs and sports pavilion.
3. To ensure monthly inspection sheets are completed and submitted to the Deputy Clerk for the area, highlighting remedial action required.
4. To review and set the level of the annual fees for use of the sports pavilion on the Recreation Field on Church Road.
5. To prepare and set the budget and maintain and administer separate accounts for the Thurston Recreation Ground Charity No. 304946 for the Recreation Area on Church Road. To manage use of the recreation ground on Church Road which shall include the granting of licenses for regular use.
6. To prepare an annual report to summarize the work undertaken in the exercising of its delegated powers for consideration by the Parish Council.