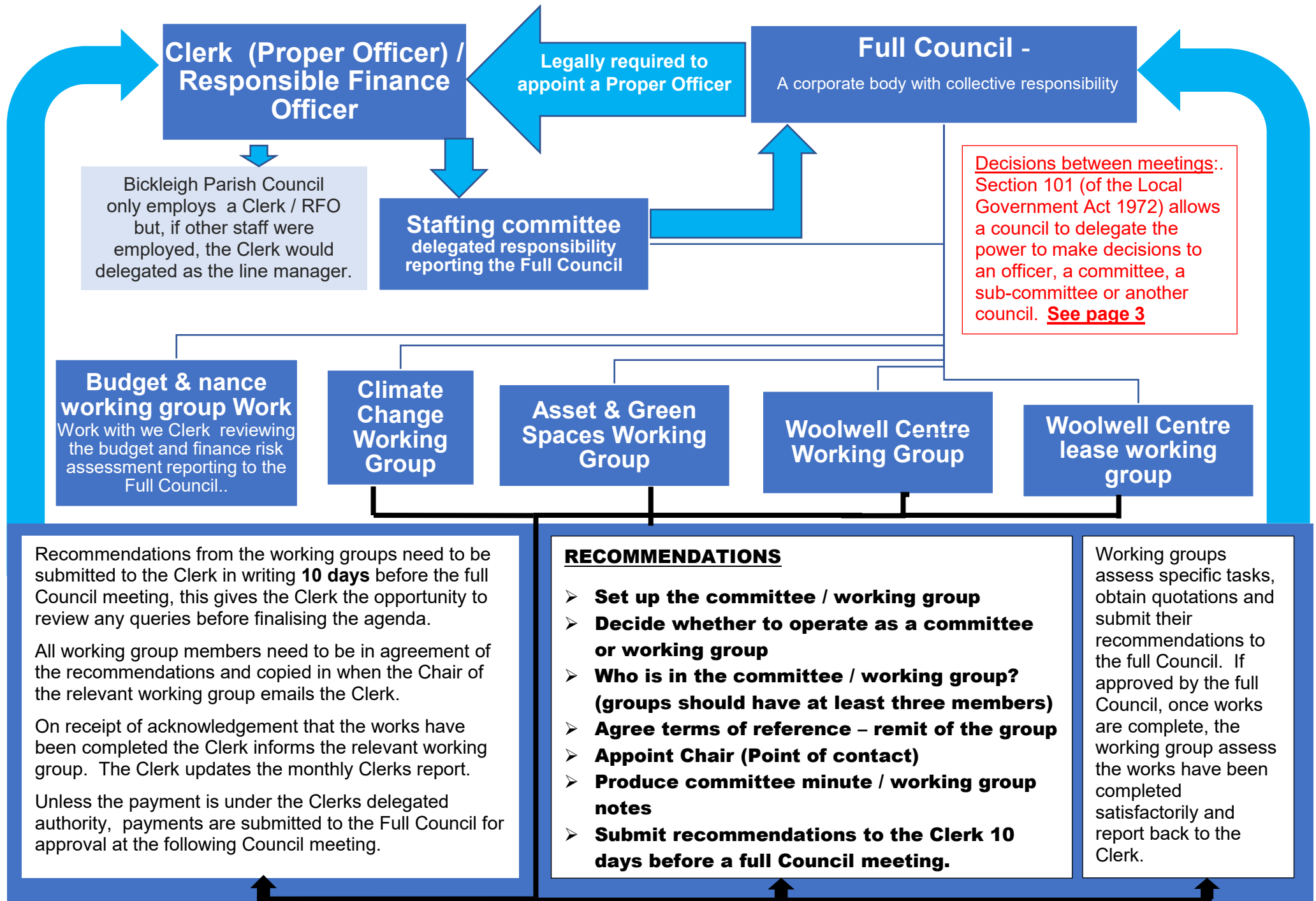


**THE STRUCTURE OF THE COUNCIL – COMMITTEES, WORKING GROUPS AND DELEGATED AUTHORITY**



Decisions between meetings: Section 101 (of the Local Government Act 1972) allows a council to delegate the power to make decisions to an officer, a committee, a sub-committee or another council. See page 3

Recommendations from the working groups need to be submitted to the Clerk in writing **10 days** before the full Council meeting, this gives the Clerk the opportunity to review any queries before finalising the agenda.

All working group members need to be in agreement of the recommendations and copied in when the Chair of the relevant working group emails the Clerk.

On receipt of acknowledgement that the works have been completed the Clerk informs the relevant working group. The Clerk updates the monthly Clerks report.

Unless the payment is under the Clerks delegated authority, payments are submitted to the Full Council for approval at the following Council meeting.

- RECOMMENDATIONS**
- **Set up the committee / working group**
  - **Decide whether to operate as a committee or working group**
  - **Who is in the committee / working group? (groups should have at least three members)**
  - **Agree terms of reference – remit of the group**
  - **Appoint Chair (Point of contact)**
  - **Produce committee minute / working group notes**
  - **Submit recommendations to the Clerk 10 days before a full Council meeting.**

Working groups assess specific tasks, obtain quotations and submit their recommendations to the full Council. If approved by the full Council, once works are complete, the working group assess the works have been completed satisfactorily and report back to the Clerk.

## **THE STRUCTURE OF THE COUNCIL – COMMITTEES, WORKING GROUPS AND DELEGATED AUTHORITY**

Committee meetings bring together a smaller number of councillors to concentrate on a specific function of the council and share the workload. Some committees are permanent or standing committees, but others are set up for a short-term project. Many councils have a permanent Planning Committee allowing them to comment on planning applications as required without convening a full council meeting.

Some committees are advisory; they make recommendations to the full council, which then makes the decisions. There are also executive committees where the full council delegates responsibility for certain decisions to the committee. The committee then reports its decisions to the full council. This helps the Planning Committee to make decisions without referring to the full council.

Sub-committees are appointed by a committee to focus discussion on a specific topic among an even smaller group of councillors. Otherwise, they operate like committees.

Working parties or 'task-and-finish' groups are occasionally set up for a short-term purpose. They are not subject to the strict rules that apply to formal council meetings and do not need to be held in public. A working party cannot make a decision on behalf of the council, but they can explore options and present these to the council for a decision.

### **Committees**

Committees are governed by legislation.<sup>1</sup> Committees are legally required to operate in the same way as full Parish Council meetings:

- Notice of three clear days must be given for council meetings giving details of the date, time and venue.
- Meetings must be public meetings. (with the exception of staffing committee meetings)
- Actions and decisions must be recorded and approved at the following meetings.

### **Working Groups (task and finish)**

- Informal – not open to the public
- Non Councillors can join but they must abide by the Councils code of conduct

**NOTE: It is unlawful for a council to delegate decision making to any individual councillor**

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<sup>1</sup> [Local Government Act 1972, c70, Part VI Section 101 1\(a\)](#) – Arrangements for discharge of functions by local authorities.

<sup>1</sup> [Local Government Act 1972, c70 Part V1, Section 102 \(4\)](#) – Appointment of committees

## **BPC Financial Regulations**

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over [£5,000];
- a duly delegated committee of the council for items over [£500]; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below [£500].

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations

5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee];
- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee]; or
- c) fund transfers within the councils banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].