



7 May/Mai 2026

Dear Sir/Madam/Annwyl Syr/Fadam

You are hereby summoned to attend a **MULTI-LOCATION ANNUAL MEETING OF PONTYPOOL COMMUNITY COUNCIL TO BE HELD AT 6.00 PM ON WEDNESDAY 13 MAY 2026.**

The meeting will be held remotely, using Microsoft Teams and physically for those who wish to attend the Council Chamber. Councillors have been provided with a link to attend the meeting. If any member of the public wishes to attend the meeting remotely, please contact the Clerk of the Council (by e-mail or telephone) at least 24 hours before the meeting.

Members of the public have the right to ask questions at Council meetings and to speak in Welsh or English, provided that at least 3 working days' notice in writing of the question has been provided to the Clerk.

The agenda for the meeting is set out below and relevant papers are attached.

Gofynnir drwy hyn i chi fynychu yn **PWYLLGOR POLISI A CHYLLID** yn **RHITCH GYFARFOD** am **6:00 PM, DYDD MERCHER 13 MAI 2026.**

Mae cynghorwyr wedi derbyn dolen i fynychu'r cyfarfod. Os yw unrhyw aelod o'r cyhoedd yn dymuno mynychu'r cyfarfod o bell, cysylltwch â Chlerc y Cyngor (trwy e-bost neu dros y ffôn) o leiaf 24 awr cyn y cyfarfod.

Mae gan aelodau o'r cyhoedd yr hawl i ofyn cwestiynau yng nghyfarfodydd y Cyngor, mae gan aelodau o'r cyhoedd hefyd yr hawl i siarad yn y Gymraeg neu'r Saesneg, cyn belled ag y rhoddir tri diwrnod o rybudd ysgrifenedig o'r cwestiwn i'r Clerc.

Mae agenda'r cyfarfod wedi'i nodi isod ac mae papurau perthnasol ynghlwm.

Yours faithfully/Yr eiddoch yn gywir

Cathryn Drew

**CLERK TO THE COUNCIL/CLERC I'R CYNGOR**

## A G E N D A

1. **Recording of meeting**

To approve recording of meeting.

2. **Election of Chair**

(a) To elect a Chair of the Council for the 2026/27 Civic Year.

(b) The retiring Chair to hand the Chain of Office to the incoming Chair and to give a brief statement on their term of office.

(c) Incoming Chair to sign the Declaration of Acceptance of Office.

(d) Incoming Chair to inform members of the charities that they have decided to support during their year of office.

3. **Apologies**

To receive apologies for absence.

4. **Declarations of Interest**

Members to declare any interests they may have on any of the items to be discussed.

5. **Election of Vice-Chair**

(a) To elect a Vice-Chair of the Council for the 2026/27 Civic Year.

(b) Vice-Chair to sign the Declaration of Acceptance of Office.

6. **Leader and Deputy Leader**

To appoint a Leader and a Deputy Leader of the Council for the 2026/27 Civic Year.

7. **Committee Structure**

To appoint Committees, Panels and Working Groups as follows and decide the membership thereof. The Chair and Leader are ex officio members of each body, except for Disciplinary and Appeals, and are included in the total number:

- Finance, Governance and Policy Committee (12 members)
- Planning and Environment Committee (12 members)
- Events Committee (12 members)
- Establishment Committee (10 members)
- Biodiversity Sub Committee (numbers not limited)
- Disciplinary Panel (3 members)
- Appeals Panel (3 members)
- Grievance Lead (Clerk/Deputy Clerk)

[Members of Disciplinary and Appeals Panels are not to be members of the Establishment Committee].

NB: Terms of reference for each of the committees are contained in the Council's Constitution.

8. **Chairs and Vice-Chairs**

To appoint Chairs and Vice-Chairs to the above Committees (with Panels and Working Groups electing their own Chairs).

9. **Dates and Times of Meetings 2026/27**

To:

- (a) Confirm the dates and times of meetings as per the attached schedule (attached: page(s) 1 – 4)
- (b) Discuss recording of meeting minutes.

10. **Representation on Outside Bodies and Internal Roles**

To appoint member representatives on outside bodies and to internal roles (attached: page(s) 5 – 6)

11. **Press Liaison Member**

To nominate a member to liaise with the press and (alongside the Clerk) to issue press statements on behalf of the Council.

12. **Cheque Signatories/Bank Authority**

To confirm signatories of cheques for 2026/27 (attached: page(s) 7)

13. **Official Signatories**

To appoint and authorise three Members to sign official documents on behalf of the Council.

14. **Members' Remuneration**

- (a) To re-approve the Remuneration Policy (attached (page(s) 8 – 11)
- (b) To authorise payments to Members in accordance with the Democracy and Boundary Commission Cymru determinations for 2026/27 and decide what allowances to pay to whom, where there is local choice.

15. **Constitution**

To receive a verbal update from the Clerk

16. **Standing Orders**

To approve and re-adopt the Council's Standing Orders (attached: page(s) 12 – 40)

17. **Terms of Reference**

To approve and re-adopt the Council's Terms of Reference (attached: page(s) 41 – 48)

18. **Scheme of Delegation**

To approve and review the Scheme of Delegation (attached: page(s) 49 – 57)

**Recording of Meeting**

Recording of meeting to be stopped.

**All of these dates and committees are currently under review as part of the Committee Structure Review**

**DATES FOR COMMITTEES 2026-2027**

**MAY 2026**

<u>MEETING</u>	<u>DATE</u>
Annual Meeting	13 May 2026 at 6.00 pm
Full Council	13 May 2026 at 6.30 pm

**Half Term: 26 May to 30 May 2026**

**JUNE 2026**

<u>MEETING</u>	<u>DATE</u>
Establishment	3 June 2026 at 5.30 pm
Finance, Governance & Policy	3 June 2026 at 6.30 pm
Events	10 June 2026 at 5.30 pm
Planning & Environment	10 June 2026 at 6.30 pm
Regeneration Operational Working Group	17 June 2026 at 3.00 pm
Youth Provision Task & Finish Group	17 June 2026 at 4.00 pm
Biodiversity Sub-Committee	24 June 2026 at 5.30 pm
Full Council	24 June 2026 at 6.30 pm

(Events and Planning & Environment Committees are held on the same evening, for efficiency of administration (agenda and minute deadlines)).

**JULY 2026**

<u>MEETING</u>	<u>DATE</u>
Accommodation Task & Finish Group	1 July 2026 at 5.30 pm
Finance, Governance & Policy	1 July 2026 at 6.30 pm
Planning & Environment	8 July 2026 at 6.30 pm
Biodiversity Sub Committee	22 July 2026 at 5.30 pm
Full Council	22 July 2026 at 6.30 pm

**August – No meetings**

## SEPTEMBER 2026

<u>MEETING</u>	<u>DATE</u>
Establishment	2 September 2026 at 5.30 pm
Finance, Governance & Policy	2 September 2026 at 6.30 pm
Events	9 September 2026 at 5.30 pm
Planning & Environment	9 September 2026 at 6.30 pm
Regeneration Working Group	16 September 2026 at 3.00 pm
Youth Provision Task & Finish Group	16 September 2026 at 4.00 pm
Biodiversity Sub-Committee	23 September 2026 at 5.30 pm
Full Council	23 September 2026 at 6.30 pm

## OCTOBER 2026

<u>MEETING</u>	<u>DATE</u>
Accommodation Task & Finish Group	7 October 2026 at 5.30 pm
Finance, Governance & Policy	7 October 2026 at 6.30 pm
Planning & Environment	14 October 2026 at 6.30 pm
Biodiversity Sub-Committee	28 October 2026 at 5.30 pm
Full Council	28 October 2026 at 6.30 pm

**Half term: 26 October to 30 October 2026**

## NOVEMBER 2026

<u>MEETING</u>	<u>DATE</u>
Establishment	4 November 2026 at 5.30 pm
Finance, Governance & Policy	4 November 2026 at 6.30 pm
Events	11 November 2026 at 5.30 pm
Planning & Environment	11 November 2026 at 6.30 pm
Budget Pre- Planning Day*	14 November 2026 at 10am (Saturday)
Biodiversity Sub-Committee	25 November 2026 at 5.30 pm
Full Council	25 November 2026 at 6.30 pm

## DECEMBER 2026

<u>MEETING</u>	<u>DATE</u>
Budget Planning*	2 December 2026 at 6.30 pm
Full Council	9 December 2026 at 6.30 pm

**\*Provisional Dates**

## JANUARY 2027

<u>MEETING</u>	<u>DATE</u>
Establishment	6 January 2027 at 5.30 pm
Finance, Governance & Policy	6 January 2027 at 6.30 pm
Events	13 January 2027 at 5.30 pm
Planning & Environment	13 January 2027 at 6.30 pm
Regeneration Operational Working Group	20 January 2027 at 3.00 pm
Youth Provision Task & Finish Group	20 January 2027 at 4.00 pm
Biodiversity Sub-Committee	27 January 2027 at 5.30 pm
Full Council	27 January 2027 at 6.30 pm

## FEBRUARY 2027

<u>MEETING</u>	<u>DATE</u>
Accommodation Task & Finish Group	3 February 2027 at 5.30 pm
Finance, Governance & Policy	3 February 2027 at 6.30 pm
Planning & Environment	10 February 2027 at 6.30 pm
Biodiversity Sub-Committee	24 February 2027 at 5.30 pm
Full Council	24 February 2027 at 6.30 pm

Half term: 15 February to 19 February 2027

## MARCH 2027

<u>MEETING</u>	<u>DATE</u>
Establishment	3 March 2027 at 5.30 pm
Finance, Governance & Policy	3 March 2027 at 6.30 pm
Events	10 March 2027 at 5.30 pm
Planning & Environment	10 March 2027 at 6.30 pm
Regeneration Operational Working Group	17 March 2027 at 3.00 pm
Youth Provision Task & Finish Group	17 March 2027 at 4.00 pm
Biodiversity Sub-Committee	24 March 2027 at 5.30 pm
Full Council	24 March 2027 at 6.30 pm

Easter School Holidays: 22 March 2027 to 2 April 2027  
(Good Friday 26 March 2027 & Easter Monday 29 March 2027)

**APRIL 2027**

<b><u>MEETING</u></b>	<b><u>DATE</u></b>
Finance, Governance & Policy	7 April 2027 at 6.30 pm
Planning & Environment	14 April 2027 at 6.30 pm
Biodiversity Sub-Committee	28 April 2027 at 5.30 pm
Full Council	28 April 2027 at 6.30 pm

**MAY 2027**

<b><u>MEETING</u></b>	<b><u>DATE</u></b>
Annual Meeting	12 May 2027 at 6.00 pm
Full Council	12 May 2027 at 6.30 pm

All meetings will take place on a Wednesday at times listed above.

Members of the public are invited to attend, agendas will be posted online the week before the meeting and will be placed in the notice board with 3 clear working days' notice.

Copies of agendas are available on request in Welsh.

**REPRESENTATION ON OUTSIDE BODIES AND INTERNAL POSITIONS 2026-2027**

Organisation:	Councillor:
Art Regen (1)	
Biodiversity & Environment Lead (1)	
Communities Lead (in liaison with Dave Leech, Placement Planning Team) (1)	
Cymraeg Champion (1)	
General Data Protection Regulations (2)	
Gwent Valleys Area/One Voice Wales (2) plus Clerk	
Health and Safety Reps (2)	
Innovative Practice Conference, Royal Welsh Showgrounds, Builth Wells – 2 July 2025	
Knowledge Partnership (1)	
Larger Local Councils (OVW) meet quarterly on a Wednesday 10.30 am to 1.00 pm (1) plus Clerk	
Llantarnam Grange	
Local Council Partnership (LCP) (2) plus Clerk	
Mic Morris Memorial Trust (1)	
National Executive Committee (OVW)	
Pontypool Park Friends Group (1)	
Pontypool Regeneration Partnership Group (10)	
South Sebastopol Environmental Steering Group	
TCBC Ethics & Standards Committee (1)	

Organisation:	Councillor:
Torfaen Association of Local Councils (TCALC) (2)	
Torfaen Canal Strategic Partnership Board	
Torfaen Community Enterprises Association and Torfaen Community Transport (1)	
Torfaen Environmental Association (1)	
Torfaen Integrated Wellbeing Network (IWN)	
Torfaen Local Access Forum (1)	
Torfaen Museum Trust (1) + (1 reserve)	
Torfaen Opportunity Group (TOGS) (1)	
Torfaen Play Sufficiency Action Planning Group (1 + 1 Reserve)	
Wellbeing Champion (1)	
Wellbeing of Future Generations (2)	
Youth Festival 2025 (Pontypool) Working Party (4) plus Projects and Events Manager	
Youth Project Working Group (5) plus Clerk	

**BANK SIGNATORIES**

<b>Accounts</b>	<b>Current Signatories</b>	<b>Proposed Signatories</b>	<b>Officer(s)</b>
CCLA Account (These funds can only be transferred to current account)		Chair of Council Leader Deputy Leader	Clerk
Co-op Current Account		F,G&P Chair Leader Deputy Leader	Clerk (online access) Finance Manager (online access)
Gateway Credit Union		Leader Events Chair	Clerk



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Agenda Item 14 (a)

## MEMBER REMUNERATION POLICY

It is the policy of this Council to pay its members in line with the Democracy and Boundary Commission Cymru's yearly review. This document is taken into consideration when setting the annual budget.

This policy will be reviewed annually in the Annual Meeting.

Payments to councillors will be paid as set out in Table 2<sup>1</sup>, in line with the size of the electorate:

Extra costs payment:	All members, mandatory
Senior role(s):	£500, mandatory for 1 member, optional for up to 7
Chair:	Optional, up to £1,500
Deputy Chair:	Optional, up to a maximum of £500
Attendance allowance:	Optional
Financial loss:	Optional
Travel and subsistence:	Optional
Costs of care or personal assistance:	Mandatory

### Level of extra costs payments

For the year 2026-2027 the extra costs payment to each member is £156 a year (equivalent to £3 a week)<sup>2</sup>. These payments are mandatory, though members are allowed to decline them.

The Council will also pay members £52 a year for the cost of office consumables required to carry out their role<sup>1</sup>.

### Timing of extra costs payments

These payments will be made once a year, in October, via BACS.

<sup>1</sup> P9, Democracy and Boundary Commission Cymru: annual remuneration report 2026-2027

<sup>2</sup> p12, Democracy and Boundary Commission Cymru: annual remuneration report 2026-2027

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Members who leave in the financial year before the payment date will not receive the payment.

Members who leave in the financial year after the payment are not expected to repay any fund, unless it is a senior role, Chair or Deputy Chair role (see section: **payments to senior roles**).

A newly elected member would receive the full amount of the allocated allowance after one month of being elected into the new position (after October in any year).

### **Payments to senior roles, Chair and Deputy Chair**

The number and value of these payments is to be decided annually at the Annual meeting, when roles are assigned.

These payments will be made once a year, in October, via BACS.

Members who leave the role in the financial year before the payment will not receive the payment.

Members who leave the role in the financial year after the payment are expected to repay the money on a pro-rata basis.

### **Attendance Allowance**

It is not the policy of Pontypool Community Council to pay members to attend meetings.

### **Financial loss**

Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows<sup>3</sup>:

- Up to **£67.45** for each period not exceeding 4 hours.
- Up to **£134.90** for each period exceeding 4 hours but not exceeding 24 hours.

Requests for such payments should be made to the Clerk and will be overseen by the Establishment Committee.

<sup>3</sup> P11, Democracy and Boundary Commission Cymru: annual remuneration report 2026-2027

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## Travel and subsistence

Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motorcycles.
- 20p per mile for bicycles.

Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

If a community or town Council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:

- £28 per 24-hour period allowance for meals, including breakfast where appropriate.
- £200: London overnight.
- £95: elsewhere overnight.
- £30: staying with friends and/or family overnight.

These rates remain unchanged from 2022<sup>4</sup>. Requests for such payments should be made to the Clerk and will be overseen by the Establishment Committee.

## Costs of care or personal assistance

Members, including co-opted members are entitled to claim towards the costs of care and personal assistance, for activities that the individual council has designated official business or an approved duty which might include appropriate and reasonable preparation and travelling time. This payment is mandatory to increase diversity amongst councillors and is unchanged from the guidance in 2022<sup>5</sup>.

<sup>4</sup> P17, Democracy and Boundary Commission Cymru: annual remuneration report 2026-2027

<sup>5</sup> P18, Democracy and Boundary Commission Cymru: annual remuneration report 2026-2027

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- Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.
  - Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real Living Wage hourly rates as defined by the [Living Wage Foundation](#) at the time the costs are incurred.

It is important to note that care costs cannot be paid to someone who is a part of a member's household.

Requests for such payments should be made to the Clerk and will be overseen by the Establishment Committee.

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Agenda Item 16

## **Standing Orders**

### **2023 Wales**

**Adopted by Pontypool Community Council on 28<sup>th</sup>  
February 2024**

#### **STANDING ORDERS 2023 (WALES)**

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## **1 Introduction**

- 1.1 This is a new version of the model standing orders designed to comply with all relevant legislation including the Local Government and Elections (Wales) Act 2021. (May 2023).
- 1.2 All paragraphs in bold throughout the document relate to the statutory duties that are essential for ensuring that the Council operates within the law and fulfils its responsibilities to the community.

## **2 Rules of Debate at Meetings**

- a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- b) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c) A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.
- h) A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair of the meeting.

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- j) Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
- k) One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- l) A councillor may not move more than one amendment to an original or substantive motion.
- m) The mover of an amendment has no right of reply at the end of debate on it.
- n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o) Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except:
- i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since they last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p) During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.

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- q) A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- r) When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s) Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
- t) Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Chair of the meeting.

### **3 Disorderly Conduct at Meetings**

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.

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- b) If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c) If a resolution made under standing order 2(b) is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

#### **4 Meetings Generally**

- Full Council meetings ●
- Committee meetings ●
- Sub-committee meetings ●

- a) Notices of meetings
- i. The notice (including how the meeting may be accessed virtually, if applicable) must be published electronically and in a conspicuous place in the community at least three clear days before the meeting, or if the meeting is convened at shorter notice, at the time it is convened.
  - ii. If a member wants to receive the summons in writing rather than electronically to the address allocated to them or notified as their address they must give notice in writing to the clerk and specify the postal address to which the summons should be sent.
  - iii. The notice must provide details about how to access the meeting remotely and the time and place of the meeting. The place may be omitted if the meeting is held by remote means only.
  - iv. In exceptional circumstances, a meeting of a committee or sub-committee of the council may be called at shorter notice. In which case, notices should be published with at least 24 hours' notice.

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These notice requirements also apply where a formal meeting is taking place which is not open to the public.

- b) Multi-location meetings
  - i. All community councils must make and publish arrangements for its meetings to enable people who are not in the same place to meet. Under the arrangements, councils will need to take reasonable steps to allow meetings to be held from multiple locations. If the arrangements are revised or replaced the new arrangements must also be published.
  - ii. The minimum requirement is that members are able to hear and be heard by others.

#### Meetings Generally – Other

- a)• The minimum three clear days for notice of a meeting does not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- b)• The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.
- c) • Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public and the press's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public and the press to be excluded.
- d) The person presiding over the meeting must give members of the public in attendance a reasonable opportunity to make representations about any business to be discussed at the meeting, unless doing so is likely to prejudice the effective conduct of the meeting. This does not mean that members of the public can take part in debate, but they must be given a reasonable opportunity to make representations about business to be discussed.

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- e) The period of time designated for public participation at a meeting in accordance with standing order 3(d) shall not exceed 15 minutes unless directed otherwise by the Chair of the meeting.
  - f) Subject to standing order 3(e), a member of the public shall not speak for more than 5 minutes from old orders minutes.
  - g) In accordance with standing order 3(d), a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
  - h) A person shall raise their hand when requesting to speak and stand when speaking) (except when a person has a disability or is likely to suffer discomfort)]. The Chair of the meeting may at any time permit a person to be seated when speaking.
  - i) A person who speaks at a meeting shall direct their comments to the Chair of the meeting.
  - j) Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
  - k) ● **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent.**
    -
  - l) ● **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
    -
  - m) ● **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
  - n) ● **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one), if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors**

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**present at the meeting shall preside at the meeting.**

- o) ● **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- p) ● **The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*

- q) ● **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- r) The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.

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s) ● **A councillor or a non-councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts their right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Council.**

t) ● **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

*See standing order 4(d)(viii) for the quorum of a committee or sub-committee meeting.*

u) ● **If a meeting is or becomes inquorate no business shall be transacted**  
● and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

v) A meeting shall not exceed a period of **2** hours.

## **5 Committees and Sub-Committees**

a) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b) **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

c) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

d) The Council may appoint standing committees or other committees as may be necessary, and:

i. shall determine their terms of reference;

ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;

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- iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
- v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend)
- vi. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

## **6 Ordinary Council Meetings**

- a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.

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- b) In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
  - c) If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
  - d) In addition to the annual meeting of the Council, any number of other ordinary meetings may be held in each year on such dates and times as the Council decides.
  - e) The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.
  - f) The Chair of the Council, unless they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
  - g) The Vice-Chair of the Council if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
  - h) In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.
  - i) In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
  - j) Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
    - i. In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year,

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delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;

- ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
- iii. Receipt of the minutes of the last meeting of a committee;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of the eligibility criteria for the use of the general power of competence
- xi. Review and adoption of the council's annual report
- xii. Review and adoption of the council's training plan
- xiii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
- xiv. Review of representation on or work with external bodies and arrangements for reporting back;
- xv. Review of inventory of land and other assets including buildings and office equipment;
- xvi. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xvii. Review of the Council's and/or staff subscriptions to other bodies;

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- xviii. Review of the Council’s complaints procedure;
- xix. Review of the Council’s policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xx. Review of the Council’s policy for dealing with the press/media;
- xxi. Review of the Council’s employment policies and procedures;
- xxii. Review of the Council’s expenditure incurred under s.137 of the Local Government Act 1972
- xxiii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

**7 Extraordinary Meetings of the Council, Committees and Sub-Committees**

- a) **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b) **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c) The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d) If the Chair of a committee or a sub-committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of the committee or the sub-committee.

**8 Previous Resolutions**

- a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9, or by a

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motion moved in pursuance of the recommendation of a committee or a sub-committee.

- b) When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

## **9 Voting on Appointments**

- a) Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.

## **10 Motions for a Meeting that requires Written Notice to be given to the Proper Officer**

- a) A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c) The Proper Officer may, before including a motion on the agenda, received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d) If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion re-submits it, so that it can be understood, in writing, to the Proper Officer at least 7 clear days before the meeting.

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- e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
  - f) The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
  - g) Motions received shall be recorded and numbered in the order that they are received.
  - h) Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

#### **11 Motions at a Meeting that do not require Written Notice**

- a) The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;
  - iv. to refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;
  - vi. to change the order of business on the agenda;
  - vii. to proceed to the next business on the agenda;
  - viii. to require a written report;
  - ix. to appoint a committee or sub-committee and their members;
  - x. to extend the time limits for speaking;
  - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
  - xii. to not hear further from a councillor or a member of the public;

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- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## **12 Management of Information**

*See also standing order 20.*

- a) **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data. Such date will include recordings of meetings held by the Council.**
- b) **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper, recorded and electronic form. The Council’s retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g., the Limitation Act 1980).**
- c) **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d) **Councillors, staff, the Council’s contractors and agents shall not disclose confidential information or personal data without legal justification.**

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### 13 **Draft Minutes**

- a) If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b) There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order **10(a)(i)**.
- c) The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d) If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:
 

“The Chair of this meeting does not believe that the minutes of the meeting of the ( x ) held on [date] in respect of ( x ) were a correct record but the Chair’s view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e) Subject to standing order 12 (a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.
- f) No later than seven working days of a council meeting, the council must publish electronically a note setting out:
  - the names of the members who attended the meeting, and any apologies for absence;
  - any declarations of interest; and
  - any decisions taken at the meeting, including the outcomes of any votes.

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The requirements regarding the note to be published after a council meeting do not apply for private business or where disclosure would be detrimental to acting on those decisions.

#### **14 Code of Conduct and Dispensations**

*See also standing order 3(s).*

- a) **Councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.**
- b) All councillors and non-councillors with voting rights shall undertake training in the code of conduct within six months of the delivery of their acceptance of office form.
- c) Dispensation requests shall be in writing and submitted to the standards committee of Torfaen County Borough Council as soon as possible before the meeting that the dispensation is required for.

#### **15 Code of Conduct Complaints**

- a) Upon notification by the Public Services Ombudsman that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 13, report this to the Council.
- b) Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined.
- c) The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
  - iii. indemnify the councillor or non-councillor with voting rights in

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respect of their related legal costs and any such indemnity is subject to approval by a meeting of the Council.

## 16 **Proper Officer**

- a) The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
  - i. The Proper Officer shall **at least three clear days before a meeting of the council, a committee** or a sub-committee:
    - a) Arrange for the serving of the notice (including how the meeting may be accessed virtually, (if applicable) which must be published electronically and in a conspicuous place in the community at least three clear days before the meeting, or if the meeting is convened at shorter notice, at the time it is convened.
    - b) If a member wants to receive the summons in writing rather than electronically, they must give notice in writing to the clerk and specify the postal address to which the summons should be sent.
    - c) The notice must provide details about how to access the meeting remotely, and the time and place of the meeting. The place may be omitted if the meeting is held by remote means only.
    - d) The notice must be available in a conspicuous place giving notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them) and published electronically with notice of the time and place and, as far as reasonably practicable any documents relating to the business to be transacted at the meeting unless they relate to business which is likely to be considered in private or if their disclosure would be contrary to any enactment.

See standing order 3 (a) and (b) Meetings Generally – Other - for the meaning of clear days for a meeting of a full council and for a meeting

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- of a committee;
- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming their withdrawal of
  - iii. **convene a meeting of Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**
  - iv. **facilitate inspection of the minute book by local government electors;**
  - v. **receive and retain copies of byelaws made by other local authorities;**
  - vi. hold acceptance of office forms from councillors;
  - vii. hold a copy of every councillor's register of interests - where the Council has resolved to require councillors to declare interests upfront.
  - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
  - ix. liaise, as appropriate, with the Council's Data Protection Officer if there is one;
  - x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
  - xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of freedom of information and data protection legislation and other legitimate requirements (e.g., the Limitation Act 1980);
  - xii. arrange for legal deeds to be executed; See also standing order 23;

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- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book or file for such purpose;
- xv. refer a planning application received by the Council to the [Chair or in their absence the Vice-Chair (if there is one) of the Planning and Environment Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning and Environment Committee.
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect. See also standing order 23.

## **17 Responsible Financial Officer**

- a) The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## **18 Accounts and Accounting Statements**

"Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils in Wales – A Practitioners' Guide."

- a) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- b) The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

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- i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- c) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- d) The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## **19 Financial Controls and Procurement**

- a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the

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- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 17(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).

- c) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;

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- iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e) Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. OVW can supply Council's with further information in this regard.

## **20 Handling Staff Matters**

- a) A matter personal to a member of staff that is being considered by a meeting of the Council or the Establishment Committee or the Disciplinary Panel or the Appeals Panel is subject to standing order 11.
- b) Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chair of the Establishment Committee or, if they are not available, the vice-chair (if there is one) of the Establishment Committee of absence occasioned by illness or other reason and that person shall report such absence to Establishment Committee at its next meeting.
- c) The annual performance appraisal of the Clerk to Council shall be conducted by the Chair of the Council and the Chair of the Establishment Committee. The review and appraisal must be reported in writing and are subject to approval by resolution of the Establishment Committee.

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- d) To support the Clerk's continuous development and ensure alignment of priorities set by Full Council resolutions, the Chair of the Council and the Chair of the Establishment Committee will hold a monthly feedback session with the Clerk.
  - e) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chair of Council or in their absence, the Vice-Chair in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Appeals Panel.
  - f) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the Chair of Council this shall be communicated to members of the Appeals Panel which shall be reported back and progressed by resolution of the Appeals Panel.
  - g) Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
  - h) In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

## **21 Responsibilities to provide Information**

*See also standing order 21.*

- a) In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

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## **22 Responsibilities under Data Protection Legislation**

(Below is not an exclusive list).

*See also standing order 11.*

- a) The Council may appoint a Data Protection Officer.
- b) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- c) The Council shall have a written policy in place for responding to and managing a personal data breach.
- d) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e) The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f) The Council shall maintain a written record of its processing activities.

## **23 Relations with the Press/Media**

- a) Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## **24 Execution and Sealing of Legal Deeds**

*See also standing orders 15(a)(xii) and 15(a)(xvii)*

A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

- a [Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]

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*The above is applicable to a Council with a common seal.*

OR

[Subject to standing order 23(a), any two councillors may sign on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

*The above is applicable to a Council without a common seal.*

## **25 Communicating with County Borough or County Councillors**

- a) An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Torfaen Borough Council representing the area of the Council.
- b) Unless the Council determines otherwise, a copy of each letter sent to the [County Borough] OR [County Council] shall be sent to the ward councillor(s) representing the area of the Council.

## **26 Restrictions on Councillor Activities**

- a) Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

## **27 Standing Orders Generally**

- a) All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order nine.

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- c) The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
  - d) The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

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## **Terms of Reference**

### **Council and Committees**

Adopted by Pontypool Community Council  
on 28<sup>th</sup> February 2024

#### Membership of Committees

In relation to membership, each committee consists of 12 members, appointed at the Annual Meeting of the Council in May, with the exception of Establishment which is 10 members including the Leader and Chair of the Council to serve as ex-officio members on all Council Committees during their term of office. (with normal voting rights).

(Membership can be reviewed by the Council at any time)

- 1 Adopted by Pontypool Community Council at the Finance, Governance and Policy Committee held on 7th February 2024.
- 2 Review due at the Annual Council Meeting 2027.

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## 1. Composition of Committees

1.1 Representation on Committees/Advisory groups will be as follows:

<b>Full Council</b>	<b>Finance, Governance and Policy</b>	<b>Planning and Environment</b>	<b>Events</b>	<b>Establishment</b>	<b>Biodiversity Sub Committee</b>
21	12	12	12	10	8
	including	including	including	including	Including
	Chairman & Leader	Chairman & Leader	Chairman & Leader	Chairman & Leader	Chairman
	(Ex-officio)	(Ex-officio)	(Ex-officio)		(Ex-officio)
Quorum: 7	Quorum: 4	Quorum: 4	Quorum: 4	Quorum: 3	n/a

1.2 The Chairman of Council and Leader shall sit on all the above committees in an ex-officio capacity, with the exception of Council where all 21 members sit on including Chair and Leader.

1.3 The Establishment Committee will usually comprise of the Chairman and Vice Chairman of the other committees plus two others to include the Vice Chairman of the Council if not otherwise nominated.

1.4 A Disciplinary and an Appeals panel (3 members each) will be set up from members not on the Establishment committee.

## 2. Cycle of Meetings

2.1 Committee meetings will be held cyclically as follows:-

- (a) Policy and Finance Committee shall be held on the first Wednesday of each month (excluding May, August and December).
- (b) Events Committee shall be held bi-monthly on the second Wednesday of each month prior to the Planning & Environment committee.

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- (c) Planning & Environment Committee shall be held on the second Wednesday of each month.
- (d) Establishment Committee shall be held bi-monthly on the first Wednesday of the month prior to the Policy and Finance committee (January, March, June, September and November)
- (e) Biodiversity sub committee shall be held up to 4 times per year or more (if requested).

No Committee meetings are held in May, August or December.

- 2.2 Additional meetings may be called by the Chair of the Council (committees) as necessary, provided that the required notice is given.

### 3. **Terms of Reference**

- 3.1 The Terms of Reference of Committees are as follows:-

#### 3.2 Finance, Governance & Policy Committee

- 3.2.1 To determine the financial resources required by the Community Council to enable it to fulfil its statutory obligations and provide services for the wellbeing of its community, namely:

- a) Preparing the annual revenue budget and making recommendations to Council for the precept required.
- b) Approving other committee revenue estimates.
- c) Preparing, if appropriate, a capital budget.
- d) Deciding upon borrowing requirements, establishing reserve funds and investments and overseeing the council's banking arrangements.
- e) Approving the Council's charging policy for services.

- 3.2.2 To monitor the effectiveness and adequacy of the system of internal financial control by:

- a) Ensuring financial Standing Orders are being followed.
- b) Ensuring a sound system of internal audit is operational on receipt of the annual report.
- c) Monitoring income and expenditure with the annual budget.

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- d) Ensuring that books of accounts are being properly maintained, and are up to date with best practice.
  - e) Authorising the writing off of bad debts and other items in accordance with approved financial regulations.
  - f) Ensuring that bank reconciliations are undertaken regularly.
  - g) Ensuring compliance with financial instructions.
- 3.2.3 To approve financial transactions of both receipts and payments, bank transfers etc.
- 3.2.4 To identify and manage business risks which may prevent the Council achieving its aims and objectives.
- 3.2.5 To superintend the finances of the Council in accordance with the law and the Council's Standing Orders and Financial Regulations.
- 3.2.6 To affect necessary insurance cover on all buildings and property owned by the Council and such other insurances relating to members and officers, and in respect of any other matters as may be necessary.
- 3.2.7 To receive and approve the Council's annual statement of accounts in accordance with the current Accounts and Audit Regulations, at a Full Council meeting.
- 3.2.8 To determine applications for financial assistance and financial contributions to outside bodies except as provided elsewhere within these terms of reference; to monitor the effectiveness of the grants and Local Project Funding schemes.
- 3.2.9 To determine the strategy and operational matters relating to information technology.
- 3.2.10 To review constitutional issues and make recommendations to the Council.
- 3.2.11 To consider the implementation of a Strategic Plan for the Council.
- 3.2.12 To consider recommendations from other committees or working groups on the establishment or amendment to policies within their terms of reference and to recommend to the Council any such proposal:
- be approved or not approved; or

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- be varied; or
- be referred back to the committee by which the matter was submitted for further consideration by that committee.

3.2.13 To deal with corporate or other issues not otherwise within the terms of reference of any other committees.

3.2.14 To monitor the overall effectiveness of the Council's services.

3.2.15 To develop partnerships with other authorities, agencies and organisations for the effective delivery of services and the provision of facilities consistent with the aims, objectives, policies and programmes of the Council.

3.2.16 To determine, review, monitor and oversee the Council's Welsh Language Policy.

3.2.17 To consider any matter relating to the governance of the Council, including but not limited to policies, procedures, standing orders, audit recommendations and the implications of new legislation and national guidance, and report to the Full Council with recommendations where appropriate

### 3.2.5 Planning and Environment Committee

3.3.1 To consider and respond to the Local Development Plan Framework in matters relating to control and development.

3.3.2 To consider and respond to the Planning Authority in matters relating to statutory structure and local plans.

3.3.3 To consider and respond to the relevant body in respect of highway matters.

3.3.4 To consider and respond to the relevant body in respect of listed buildings and ancient monuments.

3.3.5 To consider and respond to the relevant body in respect of conservation orders and environmental matters.

3.3.6 To consider and respond to the relevant body in respect of tree preservation.

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- 3.3.7 To consider and respond to the relevant body in respect to all environmental issues.
- 3.3.8 To receive and consider reports and minutes from the Biodiversity Sub-committee and to consider matters relating thereto as necessary.
- 3.3.9 To receive and consider reports and minutes in relation to the partnerships with Torfaen County Borough Council.
- 3.3.10 To consider and make recommendations to Council with regard to the provision of play equipment.
- 3.3.11 To consider the provision of notice boards and benches.
- 3.3.12 To consider the provision of litter and doggy bins.
- 3.3.13 To consider the process for awarding of Environmental grants and other related projects.
- 3.3.14 To manage and monitor the budget of the Committee.

### 3.4 Events Committee

- 3.4.1 To discuss and make recommendations with regard to the organisation of the following Council events:
- Inter Schools' Eisteddfod
  - Christmas Cavalcade
  - Poet of Pontypool
  - Chairmans Annual Celebration
  - Twinning activities
  - Art Competitions
  - Photography Competitions
  - Christmas Lights Competition
  - Best Dressed Shop Window Competitions
  - Schools Eco-Quiz
  - Party in the Park
  - any other events organised by the Council.

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3.4.2 To approve the purchase and installation of the Christmas lights and the Christmas trees.

3.4.3 To oversee the awarding of Council testimonials.

3.4.4 To manage and monitor the budget of the Committee.

3.4.5 To input the organisation of the Council's Schools Environmental Quiz.

### 3.5 Establishment Committee

3.5.1 To determine matters relating to human resources and employee planning, organisation structures and staff establishments.

3.5.2 To exercise on behalf of the Council its powers relating to:

- (a) Recruitment, rates of remuneration, termination of service, education, training, conditions of service, career development and all other similar matters relating to employees and members of the Council.
- (b) Organisational development reviews and surveys, efficiency reviews, work study, performance indicators, Investors in People, and ISO 9001 Quality Management System accreditations.
- (c) All matters concerning working conditions, employee services, staff welfare, agreements regarding salaries and wages, sickness and grievance procedures, disciplinary measures, appeals and disputes and consultation with employees and their representatives.
- (d) All matters relating to Safety at Work, Risk Assessment and Safety policies.
- (e) The exercise of any discretion in respect of any employee under the Local Government Superannuation Acts and Regulations.
- (f) All other routine human resource matters within the general policies of the Council.

3.5.3 To manage and monitor the budget of the Committee.

3.5.4 To undertake the annual review of staffing and pay structures.

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## SCHEME OF DELEGATION

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### **1 Introduction**

- 1.1 Under the Local Government Act 1971 s 101, the Council has the power to arrange for the discharge of its functions by a Committee, Sub-Committee or Officer of the Authority.
- 1.2 This Scheme of Delegation authorises the Proper Officer, Responsible Financial Officer, Finance Manager and Standing Committees of the Council to act with delegated authority in the specific circumstances detailed below:

### **2 Staff**

#### **2.1 Clerk/Proper Officer**

The Clerk is the Proper Officer of the Council and as such is specifically authorised:

- To sign notices or other documents on behalf of the Council
- To sign summonses to attend meetings of the Council
- To sign on behalf of the Council any document to give effect to any decision of the Council
- To deal with all press and public relations on behalf of the Council
- To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with them regarding the conduct of elections
- To lead the Council's response in the case of major emergency in consultation with the Emergency Planning Team at Torfaen CBC
- To authorise the payment of accounts
- To authorise routine expenditure within the agreed budget
- To authorise emergency expenditure up to £3,000 outside of the agreed budget
- To authorise expenditure on works up to a maximum of £2,000 in any one case
- To have overall responsibility for the Council's Freedom of Information Publication Scheme

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### 3.6 Biodiversity Sub-Committee

3.6.1 To undertake the organisation of the Biodiversity Action Plan

3.6.2 To discuss and consider all matters relating to specific Biodiversity Projects and the Environment, including the Council's Community Wood, and the manner in which the Council can become involved therein.

3.6.3 To manage and monitor the budget of the Sub - Committee.

### 3.7 Council

3.7.1 To approve/confirm minutes of Council and Committees.

3.7.2 To consider correspondence from Welsh Government, local authorities and other bodies in respect of consultative and other documents.

3.7.3 To consider and make recommendations to the Council upon electoral matters; review of local government areas and alterations in boundaries.

3.7.4 To delegate responsibility for certain matters to the Clerk and/or a committee in accordance with s.101 Local Government Act 1972.

3.7.5 To approve the final budget and set the annual precept.

3.7.6 To receive and consider motions from members.

3.7.7 To consider any other matters as directed by the Council and in accord with Standing Orders.

3.7.8 To commit to partnership working with the Unitary Authority, Outside Bodies, One Voice Wales, Welsh Government and Parliament.

- To authorise any extra meetings to be called of the Council or any Committee as necessary having first consulted with the Leader and/or Chair of the appropriate Committee

In addition, the Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- To manage the Council's facilities, property and assets
- Day to day administration of services
- Day to day supervision and management of all staff employed by the Council
- To act on behalf of the Council as a designated officer with respect to complying
  - with legislation
- To instigate and authorise the repair and maintenance of Council equipment, property or assets within agreed budget
- To purchase equipment and supplies to be used by Staff or contractors to repair or maintain Council equipment, property or assets within agreed budget
- To dispose of Community Council equipment or assets with an estimated worth of less than £500
- Authorisation of routine expenditure within the agreed budget
- Emergency expenditure up to £1,000 outside the agreed budget
- Determine the Council's insurance requirements on the Council's behalf
- Make all necessary arrangements for the Council's insurances

Delegated actions of the Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

## 2.2 Responsible Financial Officer

The Responsible Financial Officer to the Council shall be responsible for the Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and as such is specifically authorised to:

- Operate the Council's banking arrangements
- Pay all accounts properly incurred
- Pay all subscriptions to organisations to which the Council belongs
- Make all necessary arrangements for the provision of an internal and external audit service for the Council

- Incur expenditure on revenue items within the approved estimates and budgets
- Enter into leasing and contract hire agreements for the acquisition of vehicles, machinery and equipment on such terms as are considered appropriate
- Carry out virement of sums between cost centres in accordance with the Council's Financial Regulations
- Manage investments
- Authorise action for the recovery of debts
- Write-off debts up to the level set by the Council
- Maintain a Register of Assets and Inventory of Equipment

### 2.3 **Deputy Clerk**

- To receive declarations of acceptance of office
- To receive and record notices disclosing personal and prejudicial interests
- To receive and retain plans and documents
- To deal with member requests for secretarial or administrative support in connection with their duties

### 2.4 **Finance Manager**

The Finance Manager for the Council shall be responsible for regularly inspecting all Council fixed assets and to initiate and supervise all matters of control and maintenance associated with this function.

The Finance Manager shall also work with the Clerk and will have delegated power to manage matters/items pertaining to the management including:

- To recommend to the Council's Finance, Governance & Policy Committee appropriate budget provisions for the current and forthcoming financial years
- To carry out the annual Risk Assessment and bring to the attention of the Council any identified health and safety risks
- To prepare reports regarding all aspects of allocating allotments, including maintaining the waiting list in a strict chronological order, carrying out site visits with prospective tenants in order to identify size of plot required
- To prepare reports in cases where policies or rules are not being observed and follow procedure for non-compliance

## 2.5 **Project and Events Manager**

The Project and Events Manager for the Council shall be responsible for their team activities and to initiate and supervise all matters of control associated with this function.

## 3 **Committees**

### 3.1 **Full Council**

The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations for the Council's consideration:

- Approving the appointment of the Community Clerk and Proper Officer as well as the RFO
- Approving, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- Approving, adopting or making material changes to the Council's policy framework
- Levying or issuing a precept
- Borrowing money
- Approving the Council's annual accounts
- Considering an auditor's report made in the public interest
- Adopting or revising the Council's Code of Conduct
- Making, amending or revoking by-laws
- Making of orders under any statutory powers
- Matters of principle or policy
- Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings)
- Any proposed new undertakings
- Prosecution or defence in a court of law
- Nomination or appointment of representatives of the Council at any inquiry on
- matters affecting the Town, excluding those matters specific to a committee
- To approve the annual report and arrangements for its publication
- Recommending the annual calendar of meetings
- Appointing Council representatives to serve on outside bodies

- Nomination of appointment of representatives of the Council at any inquiry on matters affecting the community excluding those matters that may be delegated to a committee
- Responding to public consultations on matters affecting the community, excluding those matters specific to a committee
- Commencing on proposals from the Local Government Democracy and Boundary Commission for Wales
- To promote and maintain good public relations with all local stakeholders and with regional and national agencies
- All other matters which must, by law, reserved to the Full Council

### 3.2 **Establishment Committee**

The Establishment Committee shall consider and determine the following matters:

- Recommending the appointment of the Community Clerk and Proper Officer as well as the RFO
- Staff establishment
- Personnel policies and procedures
- Arranging the appraisal of the Clerk
- Any other matter which may be delegated to it by the council from time to time
- To deal with all aspects of recruitment and selection of community governors including interviewing, selection and appointment
- Reviewing and monitoring the Council's employment arrangements including training and development of staff and councillors, the implementation of the appraisal scheme, review of staff contracts, implementation of policies and procedures, training and development
- To receive and consider applications for vacant posts above Grade 6 and to interview shortlisted candidates

Policy on the following matters is reserved to the Finance, Governance and Policy Committee for decision, but the Establishment Committee may also make policy recommendations relating to:

- Salaries
- Conditions of service
- Staff levels
- Consideration of staffing reviews

The Disciplinary Committee is delegated to make decisions on the behalf of the Council in the following matters:

- Hearings for grievance, disciplinary and capability matters in accordance with the Councils' grievance and disciplinary procedure
- Dealing with any grievance, disciplinary and capability matters to a final conclusion, only reporting to Council when the time for any appeal has passed

An Appeals Committee is delegated to make decisions on the behalf of the Council in the following matters:

- Appeals against decisions made by the Personnel Committee in grievance, disciplinary and capability matters
- Dealing with appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process

In order to ensure as far as possible that such matters as appraisal, grievance, disciplinary and capability issues are dealt with professionally and in accordance with employment legislation, all members of the Disciplinary Committee and Appeals Committee must agree to undertake training in these matters.

### 3.3 **Finance Governance and Policy Committee**

The Finance, Governance and Policy Committee shall consider and determine the following matters:

- Budgetary control
- Recommendation of financial requirements
- To consider and determine all grant applications
- To review and accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
  - the cost not exceeding the approved estimate
  - the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation
  - all the requirements of the Council's Financial Regulations being complied with

- Matters properly referred from other Committees within the requirements of Standing Orders
- To deal with any other relevant issue arising from the implementation of best value legislation
- Any other matter which may be delegated to it by the council from time to time
- Responsibility for maintaining a continuous internal audit system
- Receiving and considering reports on internal audit and monitoring the implementation of approved action plans
- Receiving and considering reports of the External Auditor and monitoring the implementation of approved action plans
- Recommending the annual budget and resolutions for level of precept
- Managing budgetary control matters including the allocation of financial resources and virement of revenue expenditure other than within the approved budget of a committee
- Recommending capital works and resourcing their implementation
- Managing the Council's risk management practices and procedures

### 3.4 **Planning and Environment Committee**

The Planning and Environment Committee shall consider and determine the following matters:

- To comment on planning applications received from the local planning authority
- To make representations in respect of appeals against the refusal of planning permission
- To identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations
- To deal with any other planning related matter referred to the Council
- To deal with any licensing matters referred to the Council
- To comment on behalf of the Council on Local Plans, Regional Plans and any other Plans or Studies as considered appropriate
- To comment and where appropriate, work on public footpaths and bridleways
- To make representations where relevant in relation to Community Infrastructure Levy (CIL) revenue collection by TCBC

- Commenting on proposals for the creation or modification of conservation areas
- To comment on issues such as proposed new community woodlands, pre-application consultations on telecommunication masts, proposed post office closures and the provision of public payphones
- Providing comments to TCBC in relation to street naming
- Making observations on proposals to introduce new tree preservation orders
- Any other matter which may be delegated to it by the Council from time to time

### 3.5 **Sub-Committees**

Sub-Committees may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Sub-Committee is formed by means of a minute detailing the terms of reference.

### 3.6 **Pontypool Regeneration Operational Working Group**

The Pontypool Regeneration Operational Working Group has delegated power to run projects agreed by Full Council subject to budget allocation and permits the Working Group to project scope.

### 3.7 **Working Groups/Parties**

Working groups/parties may be formed by resolution of the Council or a Committee at any time. The work of such a working group/party will be decided upon at the time it is formed by means of a minute detailing the terms of reference. Each working group/party will report back with recommendations to the Council or the Committee that formed it.

## 4 **Urgent Matters**

- 4.1 In the event of any matter arising which requires an urgent decision the Clerk shall consult the Chair and Vice Chair of the Council and with the concurrence of those member(s) shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

- 4.2 Before exercising the delegated powers granted by paragraph (1) above, the Clerk and those members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a special meeting of an appropriate Committee and where a meeting is so summoned the Committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 4.3 Before exercising the delegated powers granted by paragraph (1) above, the Committee concerned shall consider whether the matter is of sufficient import to justify recommending to the Chair that a special meeting of the Council should be called in accordance with Standing Orders.
- 4.4 Any action is taken must be recorded in writing and made available for inspection by any member of the Council. Full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meetings of the Committee concerned and of the Council.

## **5 Delegation – Limitations**

- The Council does not have the power to delegate a decision to an individual Councillor
- Committees and Sub-Committees shall, at all times, act in accordance with the Council's standing orders, financial regulations and this scheme of delegation and, where applicable, any other rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time
- A Committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes