

# **STILLINGFLEET PARISH COUNCIL**

## **TERMS OF REFERENCE FOR THE BYELAW FIELD CHARITY COMMITTEE**

### **STATUTORY POWERS**

1. By virtue of sections 101 and 102 of the Local Government Act 1972 the Council may arrange for the discharge of any of its functions by one or more Committees or Sub-Committees to be appointed by the Council for the purpose, or by its Officers.
2. Whereas the Council or a Committee may lawfully delegate any function to an Officer of the Council, it is not lawful to delegate a function to any individual member of the Council, including the Chair of the Council.

### **INDEMNITY**

3. The Council shall indemnify members of Committees and any Officer acting bona-fide in the exercise of delegated powers in any case where proceedings may be brought against them in respect of any acts done by them in the proper discharge, or the purported discharge, of functions delegated to them.

### **BYELAW FIELD – TERMS OF DELEGATION**

4. The ByeLaw Field Charity is registered with the Charity Commission (ref no. 252964). The scheme of that charity appoints Stillingfleet Parish Council as the sole trustee to administer and manage the land owned by the charity being 13.02 acres of mid quality agricultural land (Absolute title no. NYK 475008, Possessory title no. NYK 476056).
5. The Parish Council as sole trustee will carry out its responsibilities via the ByeLaw Field Charity Committee.
6. The Committee will be delegated to administer and manage the ByeLaw Field enabling it to do anything that is reasonably and practicably necessary for the safe and efficient administration and management of the land.
7. The Committee is enabled to apply the clear income of the charity as the Committee thinks fit for any charitable purposes for the general benefit of the inhabitants of the Parish for which provision is not made out of rates, taxes or other public funds.

### **COMPOSITION AND TERM OF OFFICE**

8. The ByeLaw Field Charity Committee will consist of 5 Parish Councillors (one of whom will be the Chairperson).
9. The ByeLaw Field Charity Committee will be appointed for 12 months at the Annual May Meeting of the Parish Council.
10. The Committee shall have a quorum of three.

## CONVENING OF MEETINGS

11. The Committee is an arm of the parish council and meetings must be convened and held in accordance with requirements laid down in the Local Government Act 1972. All meetings will be open to members of the press and public (unless the business to be transacted is deemed to be prejudicial to the public interest).

## MINUTES

12. Minutes will be kept with the Committee being responsible for ratification of its own minutes. Copies of which will then be given to the full council for information only and will be posted on the Council's website.

## VOTING POWERS

13. All members of the Committee will be able to vote on all issues concerning the administration and management of the ByeLaw Field and how the income of the charity is applied.

## CHAIRMAN

14. At the first meeting of the Committee following the Annual Meeting of the Council in May, the Committee will appoint a Chairman. Where a casual vacancy arises in the office of Committee chairman, the clerk will ensure that the vacancy is considered at the next suitable Committee meeting.

## GENERAL

15. The exercise by the duly appointed Committee of functions of the Council as sole trustee within the terms of reference and delegation arrangements shall be subject to:-

The financial policies of the Council as formulated from time to time;

The Standing Orders of the Council;

Any other direction of the Council in relation to the exercise of delegated functions.

16. A copy of these Terms of Reference will be given to all Councillors and Committee members.

|  | Name     | Date |
|--|----------|------|
| Adopted at a meeting of Stillingfleet Parish Council | Chairman |      |