



**Burnham-on-Sea
& Highbridge**

TOWN COUNCIL

Committee Terms of Reference & Scheme of Delegation

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Review Date: Annually

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Committees generally

Frequency

Committees shall meet according to the agreed schedule or as often as it deems appropriate (being not less than three times in each Town Council year) to keep abreast of developments relating to functions and authority. Meetings shall be held at Burnham-on-Sea & Highbridge Town Council offices unless that is impractical, or it is thought advisable to hold meetings elsewhere, in which case an alternative suitable venue in either Burnham-on-Sea or Highbridge shall be used.

Quorum

For all Committee meetings to proceed a quorum of three is required.

Openness

The Committee meeting will be open to the press and public in line with legislation. However, a Committee may resolve to exclude the press and public from part or all of the meeting when discussing confidential matters not in the public interest. The Committee may choose to appoint sub-committees, which are not required to be open to the press and public. Such a decision must be in accordance with the appropriate legislation and/or relevant guidance.

Minutes

Minutes of the Committee's meetings will be produced as soon as possible after the meeting and marked with a DRAFT watermark before being uploaded to the Town Council website. Draft minutes will be distributed by the Town Clerk, or as delegated by the Town Clerk, with the agenda for the next meeting. Notice of meetings, with minutes, agendas and other papers shall be distributed to the Committee's members electronically via the Council's meeting portal and councillors notified by email. Councillor accessibility requests can be made to the Town Clerk.

Delegated authority

Committees may exercise delegated functions on behalf of the Town Council under the following terms of reference, subject to:

- (a) The Town Council's approved budget and Financial Regulations;
- (b) Any previous minuted decision of the Town Council;
- (c) Any matters reserved to the Town Council by law.

When matters overlap, each Committee shall liaise with other Committees as required. All Committees working with particular staff shall direct Human Resources issues to the Town Clerk in the first instance or to the Human Resources Sub-Committee Chair if the matter refers to the Town Clerk.

Matters delegated to any Committee may be referred back to Council either by the Committee or at the request of the Town Council.

Where powers or duties have been delegated to a Committee, it shall be competent for that Committee to in turn assign functions or delegate powers and duties to the Town Clerk or a Sub-Committee.

Any action taken under delegated powers by the Town Clerk or a Sub-Committee shall be reported to the next meeting of the appointing committee for information.

The Town Clerk may, in consultation with the Chair and/or Vice-Chair of a Committee or Sub-Committee, on that Committee's or Sub-Committee's behalf, deal with, decide or take action on such matters within the Committee's or Sub-Committee's terms of reference as will not admit of delay. Any such action will be notified to the next meeting of the appropriate Committee or Sub-Committee. In the absence of either the Committee Chair or Vice Chair, the Mayor will be consulted.

Mayor

The Mayor will have Ex-Officio rights to attend all Committee meetings without voting rights.

Budgets

Each Committee (except Planning) will prepare and submit its estimates and expenditure for the next financial years and its budget requirements to the Finance and Governance Committee annually by November.

Sub-Committees/Working Groups

Each Committee can set up Sub-Committees and Working Groups as required.

1 Finance & Governance Committee

The Finance and Governance Committee is the primary Committee of the Town Council and considers the broad economic needs of the towns and the financial position of the Town Council. The financial decisions and recommendations of the Committee will impact on the operations of other Committees.

Membership

- To be decided at the Annual Town Council meeting.
- The number of Committee members will be 9.

Cost Centres

To oversee the following costs centres;

100 - Management & Compliance (except those overseen by the HR Sub-Committee)

110 - Democratic & Civic

120 - Joint funding with others

140 - Community

Areas of Responsibility

The Committee has delegated authority to exercise the powers of the Town Council in regard to:

- Consideration and determination of all financial matters of the Council unless otherwise delegated, with the exception of those reserved by statute.
- To take a view on the income derived from functions of other Committees and comment as required.
- Management of the Council's expenditure and budgetary controls.
- Awarding grants and donations within the agreed criteria and budget of the Town Council (budgets assigned to other committees shall not be used to award grants).
- To administer any lease and maintenance of any properties owned by the Town Council.
- To maintain an overview of staffing as a resource (delegated authority relating to personnel rests with the Town Clerk and Human Resources Sub-Committee).
- To monitor health & safety at town council properties and ensure a safe working environment for staff, service users and visitors.
- Approval to adopt financial policies, except those relating to key governance which are reviewed by Full Council.
- Appointment of an internal auditor.

- To review and approve the policies and policy statements of the Council that relate to property or finance, and other general policy statements.
- Monitoring of joint agreements with other authorities.
- To monitor the CCTV contract and make any financial decisions regarding maintenance.
- To award and monitor the towns Christmas lights contract.
- To monitor the financial expenditure relating to the Towns annual programme of events.

Referred Business

To make recommendations to the Town Council in regard to:

- The setting of the annual Budget and Precept.
- Allocation of CIL monies.
- Unplanned expenditure (outside of budget).
- The setting of any allowances payable to Members.
- Strategic management of property (buildings and open spaces).
- Key financial procedures and policies requiring annual review: governance documents including Standing Orders, Financial Regulations, Terms of Reference & Scheme of Delegation.
- Responses to reviews of internal audit reports.
- Consideration of any major Council civic event proposed that requires funding outside of the allocated budget.

2. Planning Committee

Membership

- To be decided at the Annual Town Council meeting.
- The number of Committee members will be 8.

Areas of Responsibility

The Committee has delegated authority to deal with the following matters:

- At three-weekly meetings, to consider all planning applications sent for consultation from Somerset Council.
- To comment on behalf of the Town Council on planning applications.
- To make recommendations on requests for street naming and highways signage.
- To deal with requests for consultation responses for street trading licenses and to deal with matters pertaining to Licensing Acts.
- To consider, offer support or try to resolve issues affecting roads, highways, development, environment raised by residents or relating to planning matters upon which the Town Council is consulted or in which to the Town Council has an interest.

Referred Business

To make recommendations to the Town Council on the following matters:

- All initial planning applications of a major strategic nature.
- All major development proposals affecting the environment of the towns' centres and the towns as a whole.
- Permanent or substantial changes to footpaths bridle ways and rights of way.
- Consultation on Local Plans, Waste and Mineral Plans and government consultation on changes to planning legislation.
- Response to all major strategic planning applications subsequent to comment by the Town Council and outline permission having been granted by the Planning Authority.

3. Asset and Amenities Committee

Membership

- To be decided at the Annual Town Council meeting.
- The number of Committee members will be 10.

Cost Centres

To oversee the following costs centres;

200 - The Old Courthouse

500 - Cemeteries

600 - Princess (except those overseen by the HR Sub-Committee)

700 - Estates

800 - Public Conveniences

900 - Play Areas

Areas of Responsibility

The Committee has delegated authority to deal with the following matters:

- Strategic management and use of property including buildings and open spaces.
- To scrutinise officer reports on services and facilities.
- To monitor town centre footfall reports.
- To oversee floral and bedding plant provision.
- To receive and review regular finance reports and budget updates.
- To consider requests from residents relating to installation of street furniture, litter and dog bins.

Princess Theatre and Arts Centre

- Setting of fees and conditions of use, provision of equipment by users of all areas of the facility.
- To receive and review regular reports from the Theatre Manager on programming.

Allotments

- To review the allotment rent charges by November each year.
- To review and update the Tenancy Agreement as required.

Cemeteries

- To review and update the rules and regulations retaining to interments and memorials as required.
- To review cemeteries fees and charges by November each year.

Public Conveniences

- To review monitoring updates on the cleaning contract.

- To approve upgrades to facilities within budget.
- To consider requests for changes to opening times for specific events.

Referred Business

- Recommendations on any material changes affecting the legal status of the management of the facilities will be referred to Town Council.

5. Human Resources Sub-Committee (of the Finance & Governance Committee)

The Human Resources Sub-Committee meetings are not open to the public.

Members wishing to serve on this Sub-Committee should possess some qualifications and/or experience in the area of personnel matters. Members of the Sub-Committee will be provided with relevant training, which they will be expected to attend.

The Sub-Committee reports to the Finance & Governance Committee.

Membership

- To be decided at the Annual Town Council meeting.
- The number of Committee members will be 7.

Cost Centres

To oversee the following costs centres;

100 - Management & Compliance relating to salaries and associated payments, recruitment and training.

600 - Princess relating to salaries and associated payments and training.

Areas of Responsibility

The Sub-Committee has delegated authority to deal with the following matters:

- To oversee the recruitment of staff, carried out either by itself or in liaison with another Committee (other than recruitment delegated to the Town Clerk).
- To arrange for the execution of new employment contracts, changes to contracts and conditions of service.
- To annually review and consider the staff organisational structure and staffing levels.
- To periodically review the Employee Handbook.
- To keep under review the appointment of the Council's HR advisors.
- To liaise with the Town Clerk to determine the training and staff qualification needs of the Council for the purposes of recruitment and budget setting.
- To work with the Town Clerk in the preparation of job descriptions & person specifications.
- To review the results of performance management processes undertaken by line managers, including annual appraisals and contractual salary increments awarded.
- To carry out performance reviews, including appraisals, of the Town Clerk and Deputy Clerk.
- To monitor and address regular or sustained staff absence.

- To oversee any processes leading to dismissal of staff, including redundancy as approved by the Town Council.
- Agree schemes for the employment of people under apprenticeship, job creation and youth training programmes.
- To determine and approve the pay scales and grading of all posts, within agreed budget.
- To keep under review staff working conditions and matters of health & safety.
- To approve and adopt HR policies and to approve general policy statements.

Referred Business

To make recommendations to the Finance & Resources Committee on the following matters:

- On staffing matters outside of agreed budgets.
- For changes to the staffing organisational structure & staff levels.
- To make any recommendations for changes to the pension policy.
- To make recommendations to the Full Council on the dismissal or disciplinary action by the Sub-Committee of the Town Clerk.

6. Appeals Panel

The Appeals Panel will be independent from any earlier procedures. Meetings of the panel are not open to the public and no public notice will be given.

The decisions of the Appeals Panel are final and are notified to the Town Council.

Membership

- Two members of the Human Resources Sub-Committee (not involved with the Grievance Panel) with the Mayor, or where this is not practical, three Members of the Town Council.

Areas of Responsibility

The Panel has delegated authority to deal with the following matters:

- To hear appeals from an employee against a decision of the Grievance Process.
- To hear appeals against a disciplinary decision according to the Disciplinary Policy as laid down in the Employee Handbook.

7. Delegations to Officers

Delegation to the Town Clerk

The Town Clerk is the Proper Officer of the Town Council and will carry out the functions of the Proper Officer as designated under the Local Government Act 1972 and any other statute requiring the designation of Proper Officer.

The following list of delegations to the Town Clerk may, if appropriate, be further delegated to the Council's officers at the discretion of the Town Clerk:

- The usual administrative clerking functions of identified standing committees.
- The general management of the Council's services in accordance with the policies determined.
- To sign any agreements, contracts, conveyances, licenses, consents, approvals, etc. on behalf of the Council.
- The management and letting of the Town Council's facilities, as agreed with the relevant Committee.
- The determination of the use of existing office accommodation, the purchase of equipment and the authorisation of repairs and maintenance to all buildings and equipment within the agreed budget.
- The management, development and appraisal of employees.
- The approval for payment of salary increments, under contract, based on performance reviews.
- Approval of staff to attend training courses, seminars, etc. relevant to their position within the Council, subject to agreed training budget and a six-monthly update report to the Human Resources Sub-Committee.
- Any action necessary in an emergency to protect the Council's property or assets or minimise its liabilities, subject to consultation where practicable with the Mayor or Deputy Mayor and to report back to the next appropriate Council meeting.
- The Council, its Committees or Sub-Committees may from time to time further delegate to the Town Clerk, or to the Town Clerk in consultation with the appropriate Committee Chair. Such delegation will be clearly minuted and reported upon.

Delegations to the Responsible Financial Officer

- The Council has, under the Local Government Act 1972, delegated day-to-day management of the budget to the Responsible Financial Officer, subject to Proper Practices and within spending limits agreed in the budget, as recorded in the Council's Financial Regulations. To include:
- Maintenance of the Council's accounts, arrangements for internal audit and the preparation of budget estimates for the forthcoming year;
- To rollover remaining budget to an appropriate reserve at year end where that budget is identified as needed to fund an outstanding payment or purchase. Any rollover will be reported to the next Finance & Governance Committee;

- To make arrangements to pay the salaries and wages of employees of the Council, including the payment of any annual percentage increases determined by Local Agreement of, and affecting contracts under, the National Joint Council for Local Government Services.

--End--