



# Bridgwater Town Council

## Scheme of Delegation

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## **1. Committees of the Council**

- a) The council will appoint 5 Standing Committees:
  - 1. Finance and Policy Executive Committee
  - 2. HR Sub Committee
  - 3. The Amenities Committee
  - 4. The Community Services Committee
  - 5. The Planning Committee
- b) Council may determine the number of any or all committees without the need to amend Standing Orders.
- c) Any member of the Council may attend meetings of any committee of which they are not a member. They must declare that they are not a member and are classed as a member of the public and may speak on any matter only with the permission of the Chairman and shall not vote.

## **2. Full Council**

### **Matters Reserved For Full Council**

- a. Setting the precept and approval of the Council's budget
- b. Approval of the Annual Accounts
- c. Completion of the Annual Return including the Governance Statement
- d. The making, amending or revoking of Standing Orders, Financial
- e. Regulations and this Scheme of Delegation
- f. Adoption or revision of the Council's Code of Conduct.
- g. Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence
- h. Matters of principle or policy
- i. Nomination or appointment of representatives of the Council to outside bodies (except approved conferences or meetings)
- j. Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Council, excluding those matters specific to a committee
- k. The making, amending or revoking of bye-laws
- l. Authorisation as to terms and purpose for any application for Borrowing Approval

## **3. Finance and Corporate Services Committee**

This committee will consist of 8 members

For all committee meetings a quorum of 3 is required. Membership to comprise – 8 members of the town council, that are approved by the town council to serve on this committee.

#### Frequency of Meetings and Minutes

The committee shall meet as often as it deems appropriate (being not less than three times in each town council year) to keep abreast of developments relating to its functions and authority.

#### **Finance and Policy matters for consideration and determination**

- 1) To provide guidance and assistance to the Responsible Financial Officer and the council on matters relating to budgeting and finance.
- 2) All matters relating to Finance, including the recommendation of the approval of the Year End Accounts & approval of the Annual Return (Statement of Accounts) to Full Council
- 3) To consider the council's budget and other income and to prepare budget proposals for the council to consider.
- 4) To review spending in areas referred to it by the council, and report back to council.
- 5) To consider and authorise virements between budget headings over £30,000.
- 6) Corporate Governance and Risk Management
- 7) To consider if requested by council or the Town Clerk unplanned expenditure.
- 8) To work with Service Directors on other matters such as generating additional income, value for money and cost-cutting savings.
- 9) To appoint an internal auditor and to ensure effective internal audit.
- 10) To receive, and where appropriate, draft responses to any internal and external Audit Reports and to report to the council for approval.
- 11) The council has delegated day-to-day management of the budget to the Responsible Financial Officer within spending limits agreed in the budget.
- 12) Any other matter which may be delegated to it by the Full Council from time to time

#### **Additional Delegation of Authority**

- 14) The council has delegated adoption and changes of policies and procedures to this committee except for Standing Orders and Financial Regulations.
- 15) The Committee can note the list of payments and approve other expenditure up to £150,000

## **4. HR Sub-Committee (Finance and Corporate Services Committee as the Parent Committee)**

This sub-committee will consist of 5 Members

Frequency of Meetings and Minutes

The committee shall meet as often as it deems appropriate (being not less than three times in each town council year) to keep abreast of developments relating to its personnel.

### **HR Sub Committee matters for consideration and determination**

- 1) To review staff salaries and pay increments
- 2) To review and adopt procedures for dealing with discipline and grievances and ensure that the staff are informed of them.
- 3) Review and consider the staffing structure, in the light of budgetary constraints, at least annually and whenever a vacancy occurs.
- 4) To adopt and review the Staff-Member Protocol, the Staff Handbook and the policies contained therein.
- 5) To line manage the CEO/Town Clerk.
- 6) To undertake the CEO/Town Clerk's annual appraisal.
- 7) To provide guidance to the CEO/Town Clerk regarding staffing.
- 8) To review holiday, absences and TOIL balances.

### **Additional Delegation of Authority**

- 11) The council has delegated the interview and appointment of staff posts to the CEO, Service Directors and Managers in consultation with the HR Sub-Committee.

## **5. Amenities Committee**

This committee will consist of 8 Members.

Frequency of Meetings and Minutes

The committee shall meet as often as it deems appropriate (being not less than three times in each Town Council year) to keep abreast of developments relating to its functions and authority.

### **Amenities matters for consideration and determination:**

- 1) To have the delegated authority to deal with all aspects of the Council's land, assets, and property portfolio including, but not limited to, and extensive range of buildings including The Town Hall Complex, Trinity Hall, Art Centre, Museum, also Cemeteries, parks, allotments, children's play areas, open spaces, public toilets, and any ancillary

buildings including properties and assets to be transferred by Somerset Council to Bridgwater Town Council.

- 2) To review Health and Safety and Risk Assessments for all work completed on Council properties
- 3) To oversee maintenance contracts, leases, and licenses for Council property on behalf of the Council
- 4) To review the performance of the Amenities Team and facilities.
- 5) To oversee the maintenance of all green spaces.
- 6) To review maintenance and development plans, including a refurbishment and enhancement program
- 7) To review utility supplies and relevant charges.
- 8) This includes the setting of fees/rents and the approval of ground maintenance contracts and any one-off works to a value of no more than £150,000.
- 9) The committee will make recommendations to the Finance and Corporate Services Committee regarding policy and strategic matters relating to all the above.
- 10) The committee is authorised to establish sub-committees and working groups, and to appoint advisers as and when necessary to assist in its work.
- 11) The committee will receive and consider all reports and recommendations from every sub-committee and working group it appoints.

## **6. The Community Services Committee**

This committee will consist of 8 Members.

The committee shall meet as often as it deems appropriate (being not less than three times in each Town Council year) to keep abreast of developments relating to its functions and authority.

### **Community services matters for consideration and determination:**

- 1) To oversee for the organising of Remembrance Sunday ceremony
- 2) To oversee all other Council events including Seed the Day Vegan and Eco Market, and the Seven Sundays of Summer (Blake Gardens Concerts) (6 weeks on Sundays – July to August).
- 3) To oversee Snowflakes - Christmas Lights switch on and Christmas Market including the installation of the Council's Christmas light decorations.

- 4) To oversee the Friday Market and the Council's Market Charter, as well as on street trading concessions
- 5) To oversee the organising of the Bridgwater Fair.
- 6) To review the Health and Safety event plans for all events.
- 7) To review the Council's Communications Strategy.
- 8) To review the creation and distribution of the Visitor Town Guide and Bridgwater Calendar.
- 9) To develop Economic Development Initiatives
- 10) To oversee the Council's Warm Rooms and Community drop-in initiatives.
- 11) To oversee the Council's Town Deal Events and Outreach projects
- 12) To support the funding and administration of the Youth Forum
- 13) To oversee applications for securing external grants to develop the Council's facilities events.
- 14) To award and distribute Community Grants to the local community from the Council

## **7. Planning Committee**

This committee will consist of 10 members.

The committee shall meet once a month to keep abreast of developments relating to its functions and authority.

### **Planning matters for consideration and determination:**

- 1) To make representations to the Local Planning Authority on applications for planning permission which have been notified to the Council.
- 2) To make representations in respect of appeals against the refusal of planning permission.
- 3) To identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations.
- 4) To deal with any other planning development related matter including conservation matters.
- 5) The Democratic Services Officer be given delegated powers (in conjunction with the committee Chair) to respond to applications where a response is required before the next meeting.

## **8. Working Groups and Steering Groups**

- 8.1. Where Working Groups are established, they are advisory bodies only with no delegated decision-making powers. All members are able to attend working group meetings.
- 8.2. Where Steering Groups are established, they are advisory bodies only with no delegated decision-making powers. Decisions will be made by officers or relevant committees.

## **9. Delegations to CEO/Town Clerk**

The Town Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

- 9.1. To act as the Deputy Responsible Financial Officer of the Town Council and be authorised to undertake all the financial and contractual functions designated within Financial Regulations in the absence of the Director of Finance and Corporate Services (RFO).
- 9.2. The CEO/Town Clerk is authorised to undertake the following functions:
  - To sign documents on behalf of the Council.
  - To institute and appear in any legal proceedings authorised by the Council.
  - To manage the Council's staff in accordance with the Council's policies, procedures and budget, including:-
    - make appointments to posts, where not reserved for appointment by members
    - the appointment of temporary employees
    - staff performance; discipline and dismissal
    - payment of expenses and allowances
    - the approval of increments
    - implement national pay awards and conditions of service in line with the National Joint Council Scheme of Conditions of Service (the 'Green Book') as amended by the Local Agreement
    - The establishment of new posts and any changes to posts, or terms and conditions, which would have implications for the budget, shall be subject to approval by the Finance and Corporate Services Committee.
- 9.3. To authorise expenditure up to a maximum of £50,000 (excluding VAT) on any item provided that any action taken complies with any legislative provisions and the requirements of the Council's Financial Regulations.
- 9.4. To authorise expenditure up to £150,000 (excluding VAT) on Town Hall and Arts Centre Projects.
- 9.5. To authorise all expenditure for Bridgwater Fair and West Street Market above the Community Services Director limit of £20,000 (excluding VAT).

- 9.6. To be the Designated Premises Supervisor for the Town Hall Licence.
- 9.7. To ensure the appropriate training of staff and updating of skills to match their responsibilities and duties.
- 9.8. Declarations of interests and dispensations - the decision as to whether to grant a dispensation shall be made by the Town Clerk and that decision is final.

### **Urgent Matters**

Subject to consultation with the Leader; Deputy Leader and relevant committee Chair the CEO/Town Clerk is authorised to act on behalf of the Council on any matter where urgent action is needed to protect the interests of the Town Council this includes include authorising expenditure above delegated limits. Any such action to be reported to the next meeting of the Council or relevant committee.

## **10. Director of Finance and Corporate Services (RFO)**

- 10.1. Designated as the Deputy Proper officer in the absence of the Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.
- 10.2. To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000 and Data Protection ACT 2018.
- 10.3. To approve expenditure for any budgeted items up to £20,000 (excluding VAT).
- 10.4. Within their directorate to manage staff performance; discipline and dismissal (liaising with the HR Managers)
- 10.5. Payment of expenses and allowances

## **11. Director of Amenities**

- 11.1. To manage all the Town Council's Street cleansing, parks and open spaces services and property in line with the budgets and policies approved by members.
- 11.2. To manage the Quantock Road and St John's Cemetery, ensuring that all legal, statutory and other provisions are observed; plots are allocated appropriately, and records are kept up to date.
- 11.3. To manage and approve hire bookings for hire facilities.
- 11.4. To manage all council property, tenants and with the delegated authority to grant new leases/licences for occupancy and to terminate the same.
- 11.5. To approve expenditure for any budgeted items up to £20,000 (excluding VAT).
- 11.6. Within their directorate to manage staff performance; discipline and dismissal (liaising with the HR Managers)



## **12. Director of Community Services**

- 12.1. To authorise new markets and to amend the Terms and Conditions as necessary for any additional Markets and Boot Sales that may be authorised.
- 12.2. Manage all Markets under the Council.
- 12.3. Fully manages the Town Team Budget and the Town Team.
- 12.4. Will approve all Youth Forum expenditure in consultation with the Youth Forum.
- 12.5. Management of Bridgwater Fair.
- 12.6. Management of all Town Council Events.
- 12.7. Management of South Bridgwater Pantry and the Council's community centres (operations).

## **13. Other staff**

- 13.1. In the absence of the Town Clerk the Directors of Amenities, Community Services and Finance and Corporate Services collectively and in consultation with the Leader; Deputy Leader and relevant committee Chair can exercise the CEO/Town Clerk's delegated authority if the matter cannot wait until their return from absence.
- 13.2. Projects Manager for items in relation to Projects up to £15,000 within budget or previously agreed by Full Council or relevant Committee.
- 13.3. All other Managers up to £10,000 for any budgeted items within their area.
- 13.4. Supervisors and Arts Centre Deputy Manager for items within their budget up to £2,000.
- 13.5. All other officers up to £500 with line manager approval within their budget.

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