



## BRIDGWATER TOWN COUNCIL

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Adopted by the Council at its Meeting held on

# SCHEME OF DELEGATION

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### 1. COMMITTEE TERMS OF REFERENCE

#### **Policy and Finance Executive Committee (8 members – Portfolio Holders)**

For all committee meetings a quorum of 3 is required. Membership to comprise – 8 members of the town council, all being Portfolio Holders that are approved by the town council to serve on this committee. The Leader of the Council to hold the Chair of 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.

The committee meeting will be open to the Press and Public in line with legislation. However, the committee may resolve to exclude the Press and Public from the part or all of the meeting when discussing Personnel matters and some financial matters and may create Sub-Committees, which are not required to be open to the Press and Public.

Minutes of the committee's meetings shall be taken, and drafts distributed with the agenda for the next meeting, by the Town Clerk. Minutes, agendas and other papers shall, where practicable, be distributed to the committee members electronically, except where individual members request paper copies. All minutes when approved AND not deemed to be confidential to be uploaded onto the town council's website.

#### Finance and Policy

- 1) To provide guidance and assistance to the Town Clerk and the council on matters relating to budgeting and finance.
- 2) To consider the council's budget and other income and to prepare budget proposals for the council to consider.
- 3) To review spending in areas referred to it by the council, and report back to council.
- 4) To consider and authorise virements between budget headings.
- 5) To consider if requested by council or the Town Clerk unplanned expenditure.
- 6) To work with the Town Clerk on other matters such as generating additional income, value for money and cost-cutting savings.
- 7) To appoint an internal auditor and to ensure effective internal audit.
- 8) To receive, and where appropriate, draft responses to any internal and external Audit Reports and to report to the council for approval.
- 9) The council has delegated day-to-day management of the budget to the Responsible Financial Officer (Town Clerk) within spending limits agreed in the budget.
- 10) To approve grant applications.

#### Employment

- 11) To review staff salaries and pay increments.

- 12) To review and adopt procedures for dealing with discipline and grievances and ensure that the staff are informed of them.
- 13) Review and consider the staffing structure, in the light of budgetary constraints, at least annually and whenever a vacancy occurs.
- 14) To work closely with the Town Clerk to prepare job descriptions and person specifications for any staff vacancy.
- 15) To approve the advertisement of posts and prepare long and shortlists on the advice of the Town Clerk.
- 16) To adopt and review the Staff-Member Protocol, the Staff Handbook and the policies contained therein.
- 17) To line manage the Town Clerk.
- 18) To undertake the Town Clerk's annual appraisal.
- 19) To create and appoint 2 sub-committees, as necessary, a 'Hearing Panel', 'Appeals Panel'.
- 20) To create a 'Staffing Sub-Committee' and to delegate 11 to 18 of these terms of reference to this Sub-Committee. The Chair of this Sub-Committee will be the Economic Development Portfolio Holder.

#### Additional Delegation of Powers

- 21) The council has delegated the interview and appointment of staff posts to the Town Clerk in consultation with the Staffing Sub-Committee.
- 22) The council has delegated adoption and changes of policies and procedures to this committee except for Standing Orders and Financial Regulations.
- 23) The Committee can note the list of payments and approve other expenditure up to £30,000

#### **Premises Committee (8 Members – Premises Portfolio Holder and 7 Councillors plus 2 deputies)**

For all Committee Meetings, a quorum of 3 is required. The Premises Committee Chair will be the Premises Portfolio Holder. Full Council to appoint 2 councillors as deputies for the Town Clerk to invite to attend when apologies have been received from committee 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.

The committee meeting will be open to the Press and Public in line with legislation. However, the committee may resolve to exclude the Press and Public from the part or all of the meeting when discussing matters deemed confidential and may create Sub-Committees, which are not required to be open to the Press and Public.

Minutes of the committee's meetings shall be taken, and drafts distributed with the agenda for the next meeting, by the Town Clerk. Minutes, agendas and other papers shall, where practicable, be distributed to the committee members electronically, except where individual members request paper copies. All Minutes when approved AND not deemed to be confidential to be uploaded onto the town council's website.

## Properties

- 1) To have the delegated authority to deal with all aspects of the council property Portfolio, including disposal of land by way of leases, managing the lease for the Allotments, Bristol Road land and management of the Museum and Town Hall. 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 £30,000.
- 2) The committee will make recommendations to the Finance Committee regarding policy and strategic matters relating to all the above.
- 3) The committee is authorised to establish sub-committees and working groups, and to appoint advisers as and when necessary to assist in its work. This committee will appoint a Museum Sub-Committee.
- 4) The committee will receive and consider all reports and recommendations from every sub-committee and working group it appoints.

## **Planning Committee (Economy Development Portfolio Holder, 7 Councillors plus 2 deputies)**

For all committee meetings, a quorum of 3 is required. The Planning Committee Chair will be elected at the first meeting after the Annual Town Council Meeting. Full council to appoint 2 councillors as deputies for the Town Clerk to invite to attend when apologies have been received from committee members

### Frequency of Meetings and Minutes

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

The committee meeting will be open to the Press and Public in line with legislation. However, the Committee may resolve to exclude the Press and Public from the part or all of the meeting when discussing matters deemed confidential and may create Sub-Committees, which are not required to be open to the Press and Public.

Minutes of the committee's meetings shall be taken, and drafts distributed with the agenda for the next meeting, by the Town Clerk. Minutes, agendas and other papers shall, where practicable, be distributed to the committee members electronically, except where individual members request paper copies. All Minutes when approved AND not deemed to be confidential to be uploaded onto the Town Council's website.

## Planning

- 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 Town Clerk be given delegated powers (in conjunction with the committee Chair) to respond to applications where a response is required before the next meeting.

## **2. Working Groups**

- 2.1 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.

## **3. Delegations to Town Clerk**

- 3.1 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.
- 3.2 To act as the Responsible Financial Officer of the Town Council and be authorised to undertake all the financial and contractual functions designated within Financial Regulations.

The Town Clerk is authorised to undertake the following functions:

- a) To sign documents on behalf of the Council.
- b) To institute and appear in any legal proceedings authorised by the Council.
- c) To manage the Council 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 Personnel Committee.*
- d) To manage all the Town Council's services and property in line with the budgets and policies approved by members.
- e) To authorise expenditure up to a maximum of £15,000 on any item for which provision is made in the appropriate revenue budget, provided that any action taken

complies with any legislative provisions and the requirements of the Council's Financial Regulations.

- 3.3 To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000 and Data Protection ACT 2018
- 3.4 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.
- 3.5 To be the Designated Premises Supervisor for the Town Hall Licence.
- 3.6 To line manage all members of staff, whether paid or unpaid, in accordance with the policies of the Council, and to conduct appraisals as required.
- 3.7 To ensure the appropriate training of staff and updating of skills to match their responsibilities and duties.
- 3.8 To make the councils response to Planning Applications, in consultation with the Planning Committee Chair, where an extension cannot be arranged.
- 3.9 To authorise new markets and to amend the Terms and Conditions as necessary for any additional Markets and Boot Sales that may be authorised.
- 3.10 To manage and approve hire bookings for hire facilities
- 3.11 To manage all council property, tenants and with the delegated authority to grant new leases/licences for occupancy and to terminate the same
- 3.12 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
- 3.13 The Town Clerk may delegate day to day management of functions and services to the other staff members, in line with the approved duties of these posts, as agreed by Council
- 3.14 The Town Clerk fully manages the Town Team Budget and the Town Team
- 3.15 The Town Clerk will approve all Youth Forum expenditure in consultation with the Youth Forum
- 3.16 The Town Clerk will approve Tree Fund applications in consultation with the Tree Panel.

#### Urgency Matters

- 3.17 Subject to consultation with the Leader; Deputy Leader and Portfolio Holders the 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. Any such action to be reported to the next meeting of the Council or relevant committee.

### Other staff

3.18 the Town Clerk, for any items below £15,000 (Portfolio Holders need to be notified for amounts between £10,000 and £15,000;

3.19 the Finance Admin Officer assumes the Town Clerk's authority to spend in their absence;

3.20 the Projects Officer for items in relation to Projects below £8,000;

3.21 the Cemetery Supervisor for items within the Cemetery Budget lower than £2,000;

3.22 and the Cemeteries Admin Assistant for items below £1,000

