

# Structure and Functions

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## **Document History**

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## 1. Introduction

- 1.1 This document sets out key arrangements, processes, and structures of the Town Council. A Scheme of the Delegation has been included which makes clear the decision-making structure of the Town Council.
- 1.2 Where particularly complicated or specific arrangements are required, they will be added as an appendix to the document. This should be done to assist with review and provide clarity.
- 1.3 This document should be read in conjunction with other key Town Council documents. In particular Standing Orders and Financial Regulations should be referenced.
- 1.4 It is expected that this document will be reviewed once a year at the Annual Meeting of the Town Council.

## 2. Structures and Arrangements

- 2.1 This section will briefly set out the structures and arrangements of the Town Council.

### Committee structure

- 2.2 It is important that councillors, officers, and members of the public are able to understand the key structures and arrangements of the Town Council.
- 2.3 The Town Council consists of Council (usually called Full Council) and four Committees. The four (4) Committees are as follows:
  - Finance and Strategy Committee
  - Personnel Committee
  - Planning Committee
  - Property and Services Committee
- 2.4 The roles and delegated powers and functions of each Committee will be described in depth later in this document.
- 2.5 The Annual Parish Meeting is administered by the Town Council; however, it is not part of the formal Committee structure.

### General description of Committees and Working Groups

#### Committees

- 2.6 Technically called 'Standing Committees' they sit under Council and undertake the delegated powers and functions assigned to them.
- 2.7 Where delegated powers and functions exist, there is usually no need for a Committee to refer a matter to Council. This is because Council has already taken the decision to delegate that power or function.
- 2.8 Each Committee must have a Terms of Reference setting out its role and function. Membership of a Committee will usually be nine Members of the Town Council.
- 2.9 There will be no limit on how long a Committee should be in place for. The arrangements should however be reviewed on a regular basis to ensure that they are fit for purpose.

### **Sub-Committees**

- 2.10 A Sub-committee sits underneath a Committee. They often have a smaller group of Members which focus on a particular function or area of business.
- 2.11 Where delegated powers and functions exist, there is no need for a Sub-committee to refer a matter to the parent Committee or to Council. This is because a decision has already been made to delegate that power and function.
- 2.12 Each Sub-committee must have a Terms of reference setting out their role and function. Membership will usually be five (5) Members of the Town Council.
- 2.13 There will be no limit on how long a Sub-committee should be in place for. The arrangements should however be reviewed on a regular basis to ensure that they are fit for purpose.

### **Working Groups**

- 2.14 Working Groups are appointed to study and report on a particular question or issue. Once a final position has been reached a recommendation should be made to the parent body based.
- 2.15 Working Groups are considered to have the role of an 'advisory committee'. Such committees can have non-members on them as they do not regulate finances.
- 2.16 Working Groups have a function that is similar to a 'task and finish' panel. A specific task will be allocated to the Working Group and once the task is completed and a recommendation made it will cease to function.
- 2.17 Each Working Group must have a Terms of Reference setting out its function. Other than research and quote gathering a Working Group will not have any other powers or functions delegated to it.
- 2.18 A Working Group must have a minimum of three (3) Members of the Town Council. A further six (6) non-members can be appointed or co-opted to provide additional experience to the Working Group.
- 2.19 Under no circumstances will a Working Group have budgetary responsibility or be able to regulate finances.
- 2.20 The number of formal Working Groups should be kept to a minimum. They must not distract from the work of Council and Committees or take up a disproportionate amount of time and number of resources.

### **Creation of new Committees, Sub-Committees and Working Groups**

- 2.21 From time to time, it might be necessary to create new Committees, Sub-committees, and Working Groups.
- 2.22 Committees and Sub-committees in particular require a great deal of resource to service and significantly increase the workload for Town Councillors and staff.
- 2.23 Before Committees and Sub-committees are established Council should consider the additional resources and time implications.
- 2.24 The process of creating new Committees, Sub-committees, and Working Groups is set out at section 4 of Standing Orders and is a matter reserved to Council.

## Office Holders

2.25 Some Town Councillors are appointed or elected to certain positions. These are referred to as Office Holders. In some cases, they will have delegated powers and functions.

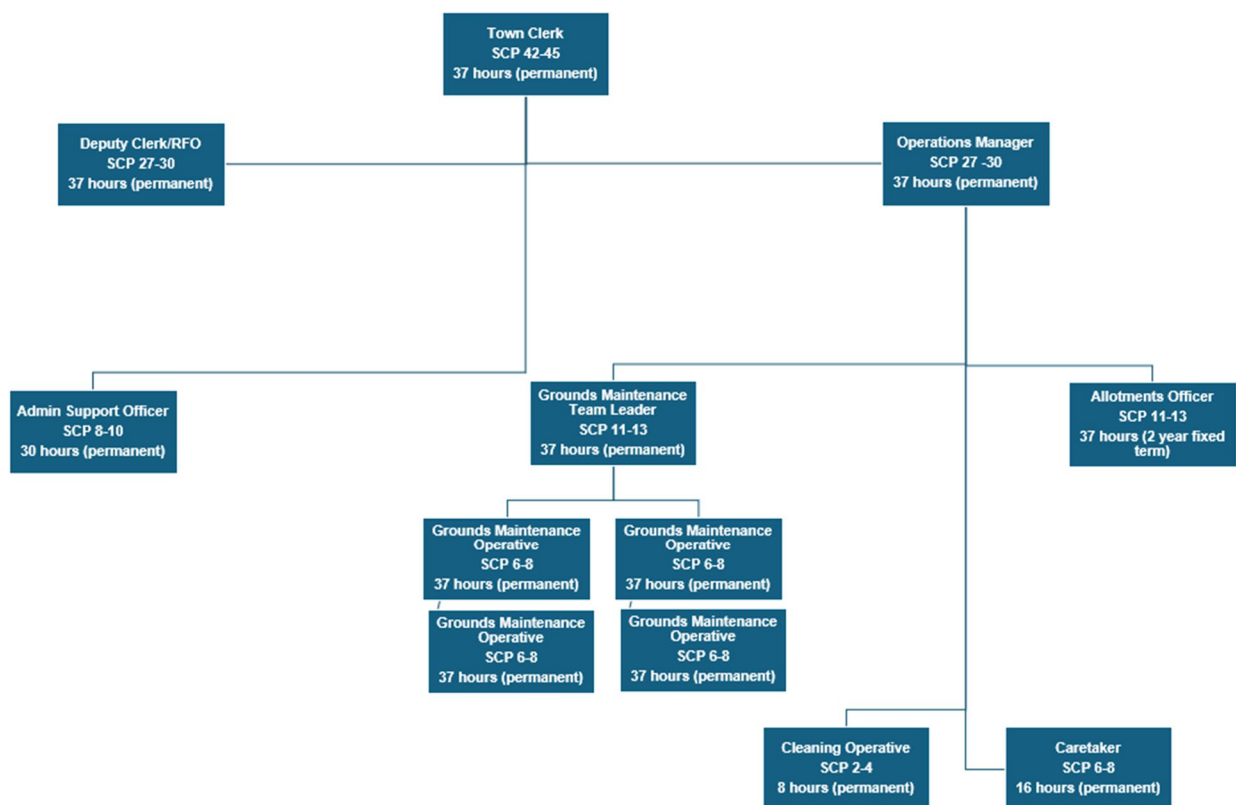
2.26 Office Holder positions are as follows:

- Chair of the Town Council (Mayor)
- Vice Chair of the Town Council (Deputy Mayor)
- Leader of the Council
- Chair of a Committee
- Vice Chair of a Committee
- Representative on an outside body

## Council Officers

2.27 The Town Council is serviced by a team of officers. They carry out the decisions made by the Town Council and in some cases have delegated powers and functions. The current staff structure is set out below.

Table 1. Staff structure diagram



## 3. Policies

### What is a policy

- 3.1 It is important that the Town Council has procedures in place for the creation and review of policies.
- 3.2 A policy is a document setting out principles to guide the decisions of the Town Council. It ensures that rational outcomes are achieved and is a statement of intent which is implemented as a procedure.

- 3.3 Town Council policies provide the framework and strategies through which decisions are made and functions are carried out.
- 3.4 Not every document therefore is a policy. Documents that could be described as routine or managerial are not policies. This would include, but is not limited to, the following: waiting lists, forms, and notices.

### How policies are created

- 3.5 It is important that policies are created in a consistent way that is not open to challenge. The process will be as follows.

### Committee with delegated powers

- 3.6 If there is a Committee with delegated powers a draft of the policy will be considered. At this stage Members can reject the policy, defer consideration, or recommend to Council that the policy be adopted.
- 3.7 Once recommended the matter will be put to Council. If approved by Council, the policy will be considered to have been 'adopted'.
- 3.8 Once adopted it will be the responsibility of the Committee to review the document. Unless substantially change to the policy is proposed Council will not need to consider the matter.

### No delegated powers or a reserved matter

- 3.9 A draft will be placed before the Finance and Strategy Committee for review. At this stage Members can reject the policy, defer consideration, or recommend to Council that the policy be adopted.
- 3.10 Once recommended the matter will be put to Council. If approved by Council, the policy will be considered to have been 'adopted'.
- 3.11 Once adopted it will be the responsibility of the Finance and Strategy Committee to review the policy.
- 3.12 If the matter is not reserved to Council, the Finance and Strategy Committee may make changes to the policy unless substantial change is proposed.
- 3.13 In the case of a reserved matter Council will need to approve any changes or amendments to the policy.

### How are policies reviewed

- 3.14 The Town Council has a large number of policies. It is important that they are reviewed on a regular basis.
- 3.15 The table below sets out how policies are to be reviewed and by which Committee. The frequency of review will either be:
- I. Annually – once a year
  - II. Biennially – once every two years

Table 2. Review of policies

Policy	Council or Committee to review the policy	Frequency of review
Acting Up Additional Duties Policy	Personnel	Biennially
Adoption Leave Policy	Personnel	Biennially

All allotments policies: - Allotment Tenancy Agreement Animals on Allotments Policy Waste Management Policy Tenancy Breach Policy A Guide to Gardening	Property and Services	Biennially
Anti-Fraud and Corruption Policy	Finance and Strategy	Biennially
Child and Vulnerable Adult Welfare and Safeguarding Policy and Procedures	Personnel	Biennially
Code of Conduct	Council (undertaken by Policy Review Working Group)	Annually
Communications Strategy	Finance and Strategy	Biennially
Community Grants Policy	Finance and Strategy	Biennially
Complaints Policy	Finance and Strategy	Biennially
Councillor / Employee Protocol	Finance and Strategy	Biennially
Councillor Vacancy (Co-option) Policy	Finance and Strategy	Biennially
Debt Recovery Policy	Finance and Strategy	Biennially
Dignity at Work Policy	Personnel	Biennially
Equality and Diversity Policy	Personnel	Biennially
All cemetery policies: - Exhumation Policy Guidance Notes on Practices and Regulations Memorial Safety Policy Memorial Bench Policy	Property and Services	Biennially
Expenses Policy	Personnel	Biennially
Filming and Recording of Meetings Policy	Finance and Strategy	Biennially
Financial Regulations	Council (undertaken by Policy Review Working Group))	Annually
Flexible Working Policy	Personnel	Biennially
Freedom of Information	Finance and Strategy	Biennially
General Data Protection Regulations (GDPR) Policies and Procedures	Finance and Strategy	Annually
Health and Safety Policy	Personnel	Biennially



Investment Strategy	Finance and Strategy	Annually
Lone Worker Policy	Personnel	Biennially
Maternity Leave Policy	Personnel	Biennially
Member Training and Development Policy	Finance and Strategy	Annually
Mobile Phone Policy	Personnel	Biennially
Name Badge & ID Card Policy	Finance and Strategy	Biennially
No Smoking Policy	Personnel	Biennially
Parental Bereavement Policy	Personnel	Biennially
Paternity Leave Policy	Personnel	Biennially
Pensions Discretions Policy	Finance and Strategy	Biennially
Protocol for the Death of a Senior Figure	Finance and Strategy	Biennially
Public Participation at Meetings Policy	Finance and Strategy	Biennially
Publication Scheme	Finance and Strategy	Biennially
Reserves Policy	Finance and Strategy	Annually
Risk Management Policy	Finance and Strategy	Annually
Risk Register	Finance and Strategy	Annually
Scheme of Members' Allowances	Council (undertaken by Finance and Strategy)	Biennially
Share Parental Leave Policy	Personnel	Biennially
Social Media Policy	Finance and Strategy	Biennially
Staff Appraisal Policy	Personnel	Biennially
Staff Handbook, Appendices, and associated policies	Personnel	Biennially
Staff Training Policy	Personnel	Biennially
Standing Orders	Council (undertaken by Policy Review Working Group)	Annually
Structure and Functions	Council (undertaken by Policy Review Working Group)	Annually
Use of Work Vehicles by Councillors and Staff for Personal Domestic Use	Finance and Strategy	Biennially
Vexatious Complaints Policy	Finance and Strategy	Biennially
Volunteer Policy	Personnel	Biennially
Wellbeing Policy	Personnel	Biennially

Whistle-Blowing and Confidential Reporting Policy	Personnel	Biennially
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## 4. Scheme of Delegation

### Introduction

- 4.1 The Town Council's Scheme of Delegation sets out the decision-making structure of the Town Council. It makes clear how powers and functions have been delegated and the matters reserved to Council.
- 4.2 The Scheme of Delegation provides a broad framework which should be reviewed from time to time. It should be seen as a living document that will evolve to meet the needs of the Town Council.
- 4.3 The delegated powers and functions of the Committees are set out in the form of Terms of Reference.
- 4.4 The Scheme of Delegation in some cases might not provide sufficient detail. In such a situation the matter should be clarified, and the additional details set out as an appendix to this document.
- 4.5 This Scheme of Delegation does not seek to repeat in detail what has already been set out in other key documents. This document should therefore be read in conjunction with those key documents.

### Authorisation of expenditure

- 4.6 Financial Regulation 4.1 sets out delegations in relation to revenue expenditure in the following way:
- 4.7 Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
  - the Council for all items over £10,000; or
  - a duly delegated committee of the Council for items over £5,000; or
  - the Clerk and / or RFO, in consultation with Chair of Council or Chair of the appropriate committee, for any items below £5,000; or
  - the Clerk, Deputy Clerk (RFO) and / or Operations Manager for items below £1,500.
- 4.8 The authorisation by the Town Clerk or Deputy Clerk (RFO) of expenditure up to £1,500 relates to 'routine expenditure' budget lines. Such lines will be made clear at the time the budget is set.
- 4.9 All expenditure by the Town Clerk or Deputy Clerk (RFO) will be reported to the next meeting of the Finance and Strategy Committee.

### Emergency delegated powers

- 4.10 It is important that a set of delegated powers are clearly set out for use in an emergency situation.
- 4.11 Emergency delegated powers should be seen as an action of 'last resort'. They are to be used in a situation which meets one or more of the following criteria:
  - Service delivery is severely compromised, or needs to be rapidly adapted to a new circumstance;

- public safety is in immediate and significant danger;
  - the health and safety of staff is being or could be seriously compromised;
  - significant damage to Council property will result from inaction, and/or;
  - the usual management of Council business is impossible due to the urgent nature of a decision or external constraint.
- 4.12 Before using emergency delegated powers, the Town Clerk will attempt to inform the Chair of the Town Council and the Leader of the Town Council. At this stage it will be determined if the matter justifies an extraordinary meeting and if there is enough time to call one.
- 4.13 In a situation such as that described above, the Town Clerk has the emergency delegated power to:
- i. Authorise payments of up to £3,000. Before the payment is made one of the following must be informed:
    - Chair of the Town Council
    - Leader of the Town Council
    - Chair of the appropriate committee.
  - ii. Review and update the policy and procedures of the Town Council as required by legislation, government guidance or operational experience.
  - iii. Authorise the temporary closure of Council property and the suspension of services (in the absence of the Town Clerk this power should be exercised by the Operations Manager).
  - iv. Undertake the following:
    - Delegate to officers of the Council additional appropriate duties necessary to minimise service disruption and ensure business continuity;
    - take decisive and proportionate action to ensure staff health & safety and public safety;
    - Manage emergency communications on behalf of the Town Council;
    - cancel or postpone Town Council events;
    - cancel or postpone meetings of the Town Council, and;
    - Arrange for formal meetings of the Town Council to be held remotely should legislation allow for it.
- 4.14 Whenever an emergency delegated power is used a brief written report will be posted on the Town Council website within seven (7) working days. The report will be presented to the next meeting of Council or the appropriate Committee for ratification.

## Limitations

- 4.15 Committees (including Sub-committees and Working Groups) and officers shall act in accordance with Council's Standing Orders, Financial Regulations and, where applicable, any other rules, legislation, regulations, policies, procedures, schemes, by-laws, or orders.

- 4.16 Delegated powers and functions must be exercised in line with the limitations described above and within the constraints set out in the budget.
- 4.17 Any matter not explicitly set out below in the Scheme of Delegation will be treated as a reserved matter for Council.

### **Matters reserved to Council**

- 4.18 The following matters are reserved to Council:
- a) Adoption and alteration of Standing Orders, Financial Regulations, and the Code of Conduct;
  - b) Approving and alteration of the Structures and Functions document, which includes, the committee structure, Terms of Reference, Scheme of Delegation, and the associated appendices;
  - c) Appointing the membership (including non-voting members) of all Committees, Sub-committees, and Working Groups;
  - d) Set a timetable for meetings, which includes, meetings of Council (Full Council), Annual Parish Meeting, Annual Town Council Meeting, and all meetings of Committees, Sub-committees, and Working Groups;
  - e) To receive recommendations from committees;
  - f) Setting the annual budget and the precept levied on the principal authority;
  - g) To complete Section 1 of the Annual Governance and Accountability Return (Annual Governance Statement) and to approve Section 2 of the Annual Governance and Accountability Return (Accounting Statements);
  - h) To receive and note the results of the annual external audit report
  - i) Authorising borrowings;
  - j) Authorising the incurring of expenditure required by Financial Regulations or above £10,000;
  - k) The power of incurring capital expenditure not specifically included in the Council's budget or delegated to a committee;
  - l) Adoption of a Member's Allowance Scheme;
  - m) Appointing Town Council representatives to outside bodies;
  - n) Election of the Leader of the Town Council;
  - o) Confirming the appointment of the Town Clerk;
  - p) Appointment or designation of the roles of Proper Officer and Responsible Financial Officer;
  - q) Making, amending, revoking, re-enacting, or adopting byelaws and local legislation;
  - r) Agreement to assume devolved services and functions;
  - s) Decision to review or create a Neighbourhood Plan;
  - t) Prosecution or defence in a court of law;

- u) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters delegated to a committee;
- v) Change the name of the Town Council, and;
- w) All other matters which must by law be reserved to Council.
- x) To adopt any plans and strategies the Council is required by statute or regulations to approve

### **Office Holders**

4.19 All Office Holders will be elected or appointed annually at the Annual Meeting of the Town Council.

4.20 The following powers and functions are delegated to Officer Holders of the Town Council.

### **Chair of the Council – Mayor**

4.21 The following are delegated to the Chair of the Council:

- The Chair of the Council will be the Mayor and act as the ceremonial representative of the Town Council and town;
- Chair of Council meetings and to undertake all the duties set out in legislation and policy;
- Act as the spokesman on matters for importance to the whole town and those not specifically delegated to another office holder;
- To be an ex-officio member of all Town Council committees, sub-committees and working groups;
- Manage business in an urgent or emergency situation;
- Be an additional point of contact for employees, and;
- Routine liaison with the Town Clerk and Leader of the Town Council.

### **Vice Chair of the Council – Deputy Mayor**

4.22 The following are delegated to the Vice Chair of the Council:

- The Vice Chair will be the Deputy Mayor of the Town Council, and;
- To carry out all the duties and functions of the Chair of the Town Council (Mayor) in their absence.

### **Leader of the Council**

4.23 The Leader of the Council will:

- Be an ex-officio member of all Council committees, Sub-committees, and Working Groups;
- act as the immediate point of contact for the Town Clerk and approve requests for annual leave and lieu time.
- appraise and evaluate the performance of the Town Clerk, along with the Chair of the Personnel Committee, and;

- regularly liaise with the Town Clerk and Chair of the Town Council about routine matters.

### **Deputy Leader of the Council**

4.24 The Deputy Leader of the Council will:

- act as the immediate point of contact for the Town Clerk and approve requests for annual leave and lieu time, in the absence of the Leader.
- appraise and evaluate the performance of the Town Clerk, along with the Chair of the Personnel Committee, in the absence of the Leader, and;
- regularly liaise with the Town Clerk and Chair of the Town Council about routine matters.

4.25 Since no individual member may act alone in an executive capacity, the Town Clerk is delegated and directed to work with the Leader, and/or Deputy Leader (in their absence) as follows:

- Overseeing work to implement strategy;
- managing business in an urgent or emergency situation;
- liaising with political groups and Members of the Town Council to find a consensus on the Town Council's priorities;
- develop working relationships with key partners;
- identify training and development needs of members, and;
- act as an additional point of contact for staff.

### **Committee Chairman**

4.26 Some Committee Chair will have specific delegated functions which will be set out in the Terms of Reference.

4.27 More generally, the Committee Chair will have the following delegated functions:

- Act as spokespeople for issues relating to the work of their Committee;
- Act as Chair for meetings of the relevant committee and undertake all the functions set out in Standing Orders and other policies, and;
- Act as the point of contact for officers in the relevant policy and service areas.

### **Representatives to outside bodies**

4.28 The following are delegated to representatives on outside bodies:

- Represent the corporate position of the Town Council on the relevant outside body, and;
- Feedback to Council and/or the relevant committee about the work and discussions of the outside body.

### **Officer delegated functions**

4.29 Functions delegated to officers of the Town Council are set out below.

- 4.30 In general, the senior officers of the Town Council have delegated powers to undertake routine and managerial work.
- 4.31 The Town Clerk, Deputy Clerk and Operations Manager may, where it is appropriate to do so, delegate functions to other officers of the Council.
- 4.32 The Town Clerk, Deputy Clerk and Operations Manager are authorised to attend meetings with third parties and represent the Council.

### **Town Clerk**

- 4.33 The Town Clerk will act as the Proper Officer for the purposes set out in Standing Orders, and for all other purposes prescribed by law, which includes but is not limited to:
- Receive declarations of acceptance of office.
  - Receive and retain plans and documents.
  - Sign notices or other documents on behalf of Council.
  - Receive copies of by-laws made by the principal authority.
  - Certify copies of by-laws made by Council.
  - Sign summonses to attend meetings of the Council or its committees.
- 4.34 In addition, the Town Clerk has the delegated authority to undertake all managerial duties, which principally involve the routine management and administration of the Town Council's services and functions.
- 4.35 The Town Clerk has the following delegated functions in relation to Communications:
- Editorial management of the Council's website and social media;
  - Draft and issue press releases on behalf of the Town Council and to generally manage public relations;
  - Develop working relationships with external bodies, in particular West Lindsey District Council and Lincolnshire County Council;
  - Receive and deal with correspondence and documents on behalf of the Town Council.
  - Issue correspondence as a result of the instructions of, or the known policy of, the Council.
- 4.36 The following are delegated to the Town Clerk in relation to documentation and processes:
- Sign on behalf of Council any document necessary to give effect to any decision of the Council or a committee.
  - Be responsible for the provision and management of information and communication technology including, the replacement of out-dated/broken equipment or the purchase of new equipment;
  - Notify the Returning Officer of all casual vacancies and to liaise them regarding the conduct of elections.
  - Overall responsibility for responding to Freedom of Information requests.

- Take a lead role in relation to data protection.
- Manage dispensation requests from members under the Code of Conduct.
- Make recommendations about the effective use of property and land to Council or the appropriate committee.
- Initiating legal action or proceedings against unauthorised use or occupation of Town Council managed or owned land.
- Work with the Operations Manager to ensure the Town Council's obligations in relation to risk assessments are met.
- Monitor the implemented policies of the Council to ensure they are achieving the desired result and where appropriate suggest modifications.
- Hold the Town Council's Seal and apply it to documents as instructed.
- Authorisation to organise extraordinary meetings, the Council Chair or the relevant committee Chair will be liaised with.
- Lead officer in relation to safeguarding matters.

4.37 In the areas of finance and budgets the Town Clerk will:

- Liaise with the Deputy Clerk on the management and monitoring of all budgets in accordance with Council policy;
- Work with the Deputy Clerk to maintain effective internal controls, as well as the internal audit and the external audit process;
- Be authorised to make payments following a resolution by Council or a committee, and;
- Incur expenditure in accordance with the Standing Orders, Financial Regulations and the process set out in the Structures and Functions document.

4.38 In matters relating to staff the Town Clerk has the following delegated powers and functions:

- Undertake all managerial duties in connection with being the senior officer of the Town Council.
- Authorised to sign written contracts of employment on behalf of the Town Council. The contract of the Town Clerk must be signed by the Chair of the Town Council.
- Authorised to make recommendations for employees' increments and administer them thereafter.
- Authorised to seek HR advice directly from the approved HR Advisors.

### **Deputy Clerk**

4.39 In the absence of the Town Clerk the Deputy Clerk will assume all the delegated roles and functions relating to that post, including those of the Proper Officer.

4.40 The Deputy Clerk occupies the position of the Responsible Financial Officer and should undertake all the functions set out in legislation and Council policy.

4.41 In addition, the Deputy Clerk has the following delegated powers and functions:



- Monitor and report on the effective management of Town Council financial resources.
- Support the Town Clerk in ensuring statutory obligations are complied with and to manage these in the Town Clerk's absence.
- Delegated to take the lead role in managing internal audits, the external audit process, and the AGAR.
- Authorised to submit the precept to the Principal Authority at the correct date and to provide any figures required for inclusion in the Council Tax Bill information.
- Authorised to make payments following a resolution by Council or a committee.
- Responsible for the overall management and monitoring of all budgets in accordance with Council policy.
- To prepare draft estimates which, when approved, will form the annual budget for the year, and to report thereon as necessary.
- To bank regularly all money received by the Council and to ensure that all money due to the Council is billed and collected promptly.
- To manage the cash flow and to control investments and bank transfers.
- To control payments made by cheque and online banking
- Write-off outstanding debts in accordance with Financial Regulations and any decision of Council or a committee;
- Undertake the processing of payments in accordance with contracts approved by Council or a committee (salaries, utility bills, office rent, etc.) or legal obligations (HMRC, pension, external audit, etc.).
- Ensure adequate insurance is in place and that a suitable risk management system exists.
- Ensure that effective internal controls are in place.
- Take overall responsibility for overseeing the payroll process, which is outsourced at this time, ensuring prompt and proper payment of any deductions for Income Tax, National Insurance and pension fund or superannuation fund contributions.
- To manage the risks faced by the Council and to recommend such insurance as is required or is mandatory (Employer's Liability and Fiduciary Guarantee).
- To maintain the Council's asset register.
- Authorised to seek HR advice directly from the approved HR Advisors.

### **Operations Manager**

- 4.42 The Operations Manager has delegated power for the operational management of services and facilities.
- 4.43 In addition, the Operations Manager has the following delegated powers and functions:

- Manage operational services which includes routine maintenance and inspections of assets, property, and land.
- Advise the Town Council on the acquisition, security, and maintenance of new equipment and to ensure any appropriate training is carried out.
- Make recommendations about the effective use of assets, property, and land.
- Approve repairs and maintenance to equipment and property, assuming authorisation for any expenditure is given.
- Ensure with the support of the Town Clerk that all management procedures put in place for the effective management of Health & Safety and public safety.
- Lead officer in managing operational risk.

## **5. Scheme of Delegation for Committees**

### **Introduction**

- 5.1 This section is a continuation of the Scheme of Delegation but has been separated from it for reasons of clarity.
- 5.2 The Terms of Reference for each Committee will be set out below. Each Terms of Reference sets out the delegated powers and functions that a Committee has.
- 5.3 When considering a matter Members should be advised by the meeting clerk if a matter is within the Committee's remit.
- 5.4 If delegated powers are in place for a committee the minutes will usually record the decision as "RESOLVED".
- 5.5 If they are not, then the minutes will show the decision as "RECOMMENDED". The business will then appear on the next agenda of the responsible Committee, or in the case of a reserved matter it will appear on the Council agenda.

## **6. Finance and Strategy Committee Terms of Reference**

### **Committee membership and quorum**

- 6.1 Membership will be nine (9) Members of the Town Council. Two ex-officio positions for the Chair of the Town Council and the Leader of the Town Council.
- 6.2 The quorum of the meeting shall be three (3).

### **Meeting frequency**

- 6.3 One (1) meeting every calendar month. The meeting will take place on the fourth Tuesday of every month at 6:30pm.

### **Principle meeting officers**

- 6.4 Town Clerk and Deputy Clerk

### **Principle objective**

- 6.5 Committee is to consider matters relating to finance, strategy, policy, and management of business.

### **Budgetary matters**

- 6.6 The Committee has extensive delegated powers in relation to budget monitoring and management.
- 6.7 The following specific budgetary areas are considered as part of the Committee's remit:
  - Administration

### **Delegated roles and functions**

- 6.8 Responsibility for the monitoring and administration of the Town Council's agreed budget.
- 6.9 Receive and consider reports and documents relating to finance, administration, and the general strategy of the Town Council.
- 6.10 Responsibility for recommending a budget to Full Council, which should include:
  - The budget (income and expenditure)
  - Three-year estimate
  - Investments
  - Reserves
  - Fees and charges
- 6.11 Power to amend fees and charges for Town Council services.
- 6.12 Management and negotiation of land transactions on behalf of the Council including the content of leases.
- 6.13 Policy review and adoption not otherwise reserved to Full Council or other committees.
- 6.14 Consider and review policies relating to finance, administration, and strategy.

- 6.15 Consider all matters relating to the audit process and where required to make recommendations to Full Council.
- 6.16 Ensure that effective risk management and adequate insurance is in place.
- 6.17 Consider expenditure that is not delegated to another committee of the Council. This would not apply to reserved matters.
- 6.18 Establish, monitor, and review a long-term strategy for the Town Council.
- 6.19 To be responsible for civil emergency planning.
- 6.20 Consider matters relating to communications.
- 6.21 To receive, note and action all matters arising from Councils internal audit report and review its effectiveness.
- 6.22 To be responsible for grants to the Council from external bodies.
- 6.23 To be responsible for the control of fixed assets.
- 6.24 To receive reports in relation to complaints received and consider any complaint not disposed of by direct action by the Town Clerk.
- 6.25 To be responsible for sales.
- 6.26 Consider and determine applications for grant aid in accordance with Community Grants Policy.

## **7. Personnel Committee Terms of Reference**

### **Committee membership and quorum**

- 7.1 Membership will be nine (9) members of the Town Council. Two ex-officio positions for the Chair of the Town Council and the Leader of the Town Council.
- 7.2 The quorum of the meeting shall be three (3).

### **Meeting frequency**

- 7.3 One meeting every calendar month (with the exception of August). The meeting will take place on the second Wednesday of the month at 6:30pm.

### **Principle meeting officer**

- 7.4 Town Clerk

### **Principle objective**

- 7.5 Committee is to consider matters relating to staff, Human Resources (including Members), and volunteers.

### **Budgetary matters**

- 7.6 The Committee has limited role in relation to direct expenditure but has a large role to play in recommending and monitoring staffing budgets.
- 7.7 The following budgetary areas are considered as part of the Committee's remit:
- Employee Costs

### **Delegated roles and functions**

- 7.8 Consider matters relating to personnel, Human Resources (including Members) and volunteers.
- 7.9 To establish and review the staffing levels and management structure.
- 7.10 Consider and review all personnel and volunteer policies.
- 7.11 Oversee the job recruitment process with the power to appoint personnel (except in the case of a reserved matter).
- 7.12 Recommend to the Finance and Strategy Committee a staffing budget as part of the annual budget creation process.
- 7.13 Manage any process leading to dismissal or redundancy of staff.
- 7.14 Review performance management (including annual appraisals, target setting) and consider matters relating to training (including Member and Volunteer training) and staff Continuous Professional Development.
- 7.15 Determine matters relating to staff pay, which includes increment increases and appeals.
- 7.16 Monitor staff absence and manage any issues arising.
- 7.17 Keep under review staff working conditions, including health and safety procedures.
- 7.18 Consider grievance or disciplinary matters.

- 7.19 Nominate a Member or Members of the Personnel Committee to seek HR advice in conjunction with the Leader of the Council directly from the HR advisors when any matter concerns the Town Clerk or Deputy Clerk.
- 7.20 Ensure the Council complies with all legislative requirements relating to volunteers and the employment of staff.

## **8. Planning Committee Terms of Reference**

### **Committee membership and quorum**

- 8.1 Membership will be nine (9) Members of the Town Council. Two ex-officio positions for the Chair of the Town Council and the Leader of the Town Council.
- 8.2 The quorum of the meeting shall be three (3).
- 8.3 It is expected that Members of the Committee will undertake planning training within three (3) months of being appointed. Committee members must keep up to date with planning legislation, policy, and guidance.

### **Meeting frequency**

- 8.4 One (1) meeting every calendar month. The meeting will take place on the third Tuesday of every month at 6:30pm.

### **Principle meeting officer**

- 8.5 Deputy Clerk

### **Principle objective**

- 8.6 Committee is to consider all matters relating to planning and development in the Gainsborough Town Council area.
- 8.7 This includes all matters relating to planning applications, street naming, tree preservation orders, ad-hoc licencing applications, the Neighbourhood Plan and matters relating to regulations on the highway.

### **Budgetary matters**

- 8.8 The Committee has delegated budgetary powers in relation to the Neighbourhood Plan should there be a review in the future.
- 8.9 The Committee will also monitor Community Infrastructure Levy (CIL) funds and make recommendations to Council on how they could be spent.

### **Delegated roles and functions**

- 8.10 Act as a statutory consultee to the planning authority.
- 8.11 Consider and comment on all planning matters and planning applications (including those related to listed buildings, advertisements, and trees) relative to Gainsborough submitted by other authorities and to forward observations to the appropriate authorities.
- 8.12 Respond on behalf of the Council to planning appeals and where required represent the Town Council.
- 8.13 Consider matters relating to licensing that are presented to the Town Council.
- 8.14 Comment on behalf of the Council on highways proposals.
- 8.15 Liaise with other agencies on matters concerning highways.
- 8.16 Identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations and S106 agreements.
- 8.17 Recommend to Council how Section 106 and CIL funds should be allocated.

- 8.18 Make any determinations that are required under the Neighbourhood Plan.
- 8.19 Management of future reviews of the Neighbourhood Plan.
- 8.20 Respond to all consultations on planning, development, highways, and licensing matters. This includes reviewing the Neighbourhood Plans submitted by other authority.



## **9. Property and Services Committee Terms of Reference**

### **Committee membership and quorum**

- 9.1 Membership will be nine (9) Members of the Town Council. Two ex-officio positions for the Chair of the Town Council and the Leader of the Town Council.
- 9.2 The quorum of the meeting shall be three (3).

### **Meeting frequency**

- 9.3 One (1) meeting every calendar month (with the exception of August). The meeting will take place on the second Tuesday of every month at 6:30pm.

### **Principle meeting officer**

- 9.4 Town Clerk and Operations Manager

### **Principle objective**

- 9.5 Committee is to consider all matters relating to existing property and services of the Town Council.

### **Budgetary matters**

- 9.6 The following areas are considered to be part of the Committee's remit:
- Grounds Maintenance
  - Richmond House & Park
  - Sports Grounds
  - Cemetery
  - Play Areas
  - Allotments
  - Public Realm
  - Events
  - Christmas Lights

### **Delegated roles and functions**

- 9.7 Consider matters relating to the Town Councils property and services.
- 9.8 Responsible for the management and maintenance of play areas, adult gyms, and skate parks.
- 9.9 Responsible for the management and maintenance of Richmond Park and Richmond House and all associated buildings.
- 9.10 Responsible for the management and maintenance of Playing Fields.
- 9.11 Responsible for the management and maintenance of Sports Grounds.
- 9.12 Consider matters relating to grounds maintenance.
- 9.13 Consider all matters concerning the operation and maintenance of the General Cemetery and North Warren cemetery.

- 9.14 Consider matters relating to the Town Council's allotments with the power to make decisions and approve expenditure.
- 9.15 To be responsible for the establishment of allotment garden site self-management arrangements and for regulating those arrangements once they are established.
- 9.16 Responsible for the Town Council's public lighting.
- 9.17 Responsible for the maintenance of car parks.
- 9.18 Responsible for the maintenance of the Town Council's footpaths and road surfaces.
- 9.19 Responsible for the management and maintenance of the Town Council's property.
- 9.20 Consider matters relating to the management and maintenance of the War Memorial.
- 9.21 To be responsible for the provision of Christmas illuminations.
- 9.22 Recommend to the Finance and Strategy Committee various budget lines associated with property and services as part of the budget setting process.
- 9.23 Define the policies, standards of service and budgets for services and facilities.
- 9.24 To be responsible for overseeing the development and improvement of services and facilities.
- 9.25 Consider capital investment in property and services.

## 10. Earmarked Reserves

10.1 The budgetary remit and responsibility of Committees for the Earmarked Reserves is as set out in the table below.

<b>EAR MARKED RESERVE</b>	<b>Committee</b>
General Fund	Finance & Strategy
Mayors Charity Account	Finance & Strategy
Roses AWP Sinking Fund	Finance & Strategy
Roses Key Deposits	Property and Services
Marshalls Key Deposits	Property and Services
Levellings Key Deposit	Property and Services
Staff Training	Personnel
Civic Service 2023/24	Finance & Strategy
Mayoral Expenses 2023/24	Finance & Strategy
Community Grants	Finance & Strategy
Election Costs	Finance & Strategy
Governance Support / Recruitment	Finance & Strategy
Richmond House Maintenance	Property and Services
Richmond House Conservatory replacement	Property and Services
Richmond Park Toilet Renovations	Property and Services
Richmond Park Compound Fence	Property and Services
Aviary Replacement	Property and Services
Vehicle Returns	Property and Services
General Tree/hedge Maintenance & Survey	Property and Services
General Footpath/Road Maintenance	Property and Services
General Litter Bin Refurb / Replace	Property and Services
General Green Waste Removal	Property and Services
Marshalls Pavilion Maintenance	Property and Services
Marshalls Ditch Clearance	Property and Services
Cemetery Topple Testing	Property and Services
Cemetery Boundary Fence Maintenance	Property and Services
Cemetery Chapel Maintenance	Property and Services
Cemetery Extension B Land Sinking Fund	Property and Services
Cemetery Compound	Property and Services

Cemetery Drainage, Toilets & Tap stands	Property and Services
General Play Equipment Maintenance	Property and Services
Wet Pour Maintenance	Property and Services
Levellings Changing Room Maintenance	Property and Services
Levellings Defibrillator	Property and Services
Silver Street Sculpture Maintenance	Property and Services
Love Lane Allotment Pond	Property and Services
Showfield Allotment Wall Maintenance	Property and Services
North Warren Allotment Fence Replacement	Property and Services
Foxby Hill Allotment Association Funds	Property and Services
Armed Forces & Community Day	Property and Services
CIL	Planning

## 11. Appendix 1 – Allotment management and administration

### Introduction

- 11.1 This appendix sets out the specific arrangements that are in place for the management and administration of allotments.
- 11.2 The Property and Services Committee has overall responsibility for the administration and management of allotments.

### Powers and functions delegated to Officers

- 11.3 The following functions are delegated to the Town Clerk who could further delegate to other officers as appropriate:
- Issuing of tenancy agreements and the letting of plots
  - Maintenance of the allotment register
  - Management of waiting lists
  - Inspections
  - Enforcement in relation to non-cultivation, illegal activity and serious breaches of the Tenancy Agreement (Termination of a Tenancy Agreement will be reserved to the Property and Services Committee)
  - Correspondence relating to allotments
  - Issuing of notices (both statutory and non-statutory)
  - Rent and charge collection
  - Approval of expenditure of less than £500 relating to skip hire and miscellaneous expenditure within the agreed budget.
  - Issuing written permissions that conform to the rules as set out in the Tenancy Agreement at Schedule 1 – 1.1, 1.2, 2.4, 8.1, 8.2, 9.2, 9.3, 12.1.
- 11.4 A report will be provided to the Property and Services Committee on a quarterly basis setting out the use of the above functions.

### Site Representative

- 11.5 Site Representatives shall be a voluntary role of the Council and must be guided by officers of the Council.
- 11.6 Site Representatives for each allotment garden site will be elected every four (4) years and be appointed at a meeting of the Town Council prior to the end of the calendar year following the full Council elections.
- 11.7 All plot holders shall be eligible for election unless they have previously been removed from office as site representative, failed to pay their rent on time or are under notice for other breaches of their Tenancy Agreement.
- 11.8 The elected and appointed Site Representative must:
- Sign a declaration of office.
  - Adhere to any standards set out by the Town Council in the Declaration of Office and

- Abide by the Allotment Tenancy Agreement and all associated policies and procedures.
- Agree to carry out the functions below set out in the 'The role of the Site Representative'.

11.9 Failure to do so may result in the Site Representative's removal from the position.

11.10 The Town Council could then arrange for an election or appoint someone else for the remainder of the year. In either case any person removed from the office of Site Representative will not be eligible for election.

11.11 The elected Site Representative for each site will not be required to pay rent for one plot that they have a tenancy agreement in place for while they occupy the position.

11.12 There will be only one (1) Site Representative per site, with the exception of Foxby Hill site where due to the size of the site two (2) Site Representative's will be accepted.

#### The role of the Site Representative

11.13 Any matter that is not explicitly set out below will be retained by the Town Council.

11.14 The Site Representative is elected by the plot holders of the site to represent them and to play a part in the general administration and management of the site.

11.15 They shall be elected every four (4) years.

11.16 All nominated candidates will be vetted as to their eligibility before the election takes place.

11.17 Where there is only one eligible candidate, this candidate shall be returned as elected unopposed.

11.18 Provide a report to the Property and Services Committee via the Communities Officer about the site on a quarterly basis. It should detail any issues, concerns, or proposals the Site Representative or plot holders have in relation to the Site.

11.19 Be the first point of contact for plot holders and to pass information to plot holders from the Town Council.

11.20 Work with the Communities Officer to carry out introductory sessions for new and prospective plot holders.

11.21 Monitor the site infrastructure and utilities and to inform the Town Council about any issues.

11.22 Inform the Communities Officer about non-cultivation or other breaches of the Tenancy Agreement. These should be passed to the Communities Officer who will compile a list to check when the next inspection is taking place.

11.23 Provide advice and support to plot holders on the site.

11.24 Build a sense of community on the site and play a positive role in helping to resolve disputes.

11.25 Attend training offered by the Town Council.

11.26 Gain or have a good general knowledge of the Town Council's Tenancy Agreement, policies and procedures which relate to the allotments.