

# TELSCOMBE TOWN COUNCIL



## Scheme of Delegation & Committee Terms of Reference Policy

The Council's Scheme of Delegation and Committee Terms of Reference is an essential policy to enable the Council to function efficiently. It sets out how Telscombe Town Council conducts its business and makes decisions in an effective, transparent and accountable manner. It defines the roles and responsibilities of the Full Council, its Committees, Sub-Committees and officers, ensuring that decisions are taken at the appropriate level and in accordance with statutory requirements. Together they support good governance, promote efficiency and provide clarity for members, officers and the community we serve.

The Council cannot delegate the performance of its statutory and legal responsibilities to an individual Councillor.

Subject to the observance of decisions of the Council on matters of principle or policy, the Council's powers and duties shall be delegated to the Standing Committees, as permitted under the Local Government Act 1972 s101, in accordance with the approved Terms of Reference, unless otherwise specified.

The acts and proceedings of a Committee shall, where they are delegated to the Committee so far as is legally permissible, be deemed the acts and proceedings of the Council. Standing Committees will operate within approved Standing Orders, Financial Regulations and other Policy documents and procedures and approved budgets in the areas detailed in this document.

The Council may revoke powers delegated to Standing Committees by resolution.

### **1 Council Functions**

The following matters are to be dealt with by the Full Council:

- a. Approval of budget and setting the precept.
- b. Authorisation of borrowing/loans.
- c. Approval of the Annual Return and Audit of Accounts.
- d. Adopting or amending all Policies including Standing Orders, Financial Regulations and the Scheme of Delegation.
- e. Making of orders under any statutory powers.
- f. Making, amending or revoking by-laws.
- g. Appointment of Standing Committees.
- h. Appointing Council representatives to outside bodies.
- i. All other matters which must, by law, be undertaken by Full Council.

### **2 Delegation to Committees**

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. Committees have delegated full decision-making powers in respect of matters delegated. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget, except as otherwise determined by Council.

The Council may at any time, following resolution, revoke any delegated authority.

Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision, it should make a recommendation to Council.

## **2.1 Policy & Resources (P&R) Committee** (*minimum membership 8, maximum 9*)

### **All matters (except for creating Council Policy) relating to;**

- 2.1.a All matters in the general day-to-day administrative services of the Council.
- 2.1.b Monitoring the financial implications of forward planning and review of budget position.
- 2.1.c Consideration of annual budget request of all standing Committees for recommendation to Council.
- 2.1.d Approval and award of grants if outside of the twice-yearly meetings of the Grants Sub-Committee.
- 2.1.e The Council's standing orders, financial regulations, risk management and policies for recommendation to Council.
- 2.1.f Matters relating to Telscombe Tye.
- 2.1.g Democratic representation of the Council including electoral matters.
- 2.1.h Printed and electronic communication including website, newsletter and annual report.
- 2.1.i To support the proposals in the Council's Business Plan.

## **2.2 Employment (Sub-Committee of P&R)** (*minimum membership 6, maximum 7*)

### **All matters (except for creating Council Policy) relating to;**

- 2.2.a All personnel matters not delegated to officers.
- 2.2.b Consideration and approval of the pay, terms and conditions of service of the Town Council's staff.
- 2.2.c Approval of incremental pay rises following staff appraisals.
- 2.2.d Amending staff structure to reflect the Council's performance needs so long as within budget. Any changes requiring additional budget require Council approval.
- 2.2.e Consideration and resolution all staff grievances in accordance with Grievance Policy.
- 2.2.f Consideration and dealing with all staff disciplinary matters in accordance with Disciplinary policy.
- 2.2.g Consideration and resolution of all staff appeals concerning grievance or disciplinary matters. (Note - the committee cannot consider an appeal against a decision taken by the Full Council).
- 2.2.h Consideration and resolution of appeals to decisions relating to a complaint.
- 2.2.i Appointment of general staff and to make recommendations to the Full Council on appointment of the Town Clerk.

### **2.3 Grants (Sub-Committee of P&R) (minimum membership 6, maximum 7)**

#### **All matters (except for creating Council Policy) relating to;**

- 2.3.a Approval and award of grants twice a year (can also be decided by P&R Committee if they feel appropriate if request received outside of the twice a year sub-committee meetings) in accordance with the Council's Policy.

### **2.4 Audit (Sub-Committee of P&R) (minimum membership 6, maximum 7)**

#### **Matters (except for creating Council Policy) relating to;**

- 2.4.a Annual Return/External Auditor's Comments.
- 2.4.b Internal Auditor's Reports.
- 2.4.c Review of the effectiveness of the Internal Audit process.
- 2.4.d Review of Risk Assessment.
- 2.4.e Review Health & Safety Policy.
- 2.4.f Review Asset Register.

and then to submit all reviewed documents to Committee or full Council for ultimate approval or adoption.

### **2.5 Amenities and Civic Centre Committee (minimum membership 8, maximum 9)**

#### **All matters (except for creating Council Policy) relating to;**

- 2.5.a Chatsworth Park and the memory garden.
- 2.5.b Chatsworth Park South playground (off Ambleside Avenue, Telscombe).
- 2.5.c Chatsworth Park North playground (off Kirby Drive, Telscombe).
- 2.5.d Robert Kingan playground (off Bannings Vale, E Saltdean).
- 2.5.e The Copse (off Telscombe Cliffs Way).
- 2.5.f Dog and litter bins.
- 2.5.g Seats and notice boards.
- 2.5.h Grounds maintenance.
- 2.5.i Events and flag flying.
- 2.5.j Civic and ceremonial activities.
- 2.5.k The maintenance and management of the Civic Centre and recommendation annually to Full Council of fees and charges.
- 2.5.l To support the proposals in the Council's Business Plan.

### **2.6 Planning & Highways Committee (minimum membership 8, maximum 9)**

#### **All matters (except for creating Council Policy) relating to;**

- 2.6.a Planning applications, including tree works applications, submitted by Lewes District Council, South Downs National Park and East Sussex County Council and make representations thereon. To be aware of planning policy and supplementary planning

documents when responding to applications. Majority committee decision by email to be accepted in urgent cases and reported back to next meeting.

- 2.6.b Planning enforcement matters and review planning and enforcement appeals and submit additional representations if required.
- 2.6.c Documents, consultations and other matters regarding planning and make representations as required.
- 2.6.d The Town/Neighbourhood Plan and other developmental plans and make appropriate representations.
- 2.6.e Street naming.
- 2.6.f Telscombe Town Council owned bus shelters.
- 2.6.g Telscombe Town Council owned street lighting.
- 2.6.h Grass verge cutting.
- 2.6.i All other planning or highway matters the Town Council is consulted on.
- 2.6.j To support the proposals in the Council's Business Plan

### **3. Delegation to Officers**

The following matters are delegated to the Council's Officers to make decisions on behalf of the Council. These decisions must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy documents, procedures and budgets.

The Council may at any time, following resolution, revoke any delegated authority.

Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council. Similarly, where Officers have no delegated power to make a decision, they should report the matter to Committee or the Council for a decision.

#### **3.1 Town Clerk**

The Town Clerk is the Proper Officer of the Council as defined in law and shall deal with duties as specified in the Council's Standing Orders 15 a-xvi.

##### **In addition the Town Clerk will;**

- 3.1.a Hold the Council's Seal and apply it to documents as approved.
- 3.1.b Sign notices or other documents on behalf of the Council.
- 3.1.c Receive copies of by-laws made by principal authority.
- 3.1.d Certify copies of by-laws made by the Council.
- 3.1.e Ensure compliance with Standing Orders.
- 3.1.f Manage all Town Council staff, either directly or indirectly and to approve all staff annual leave including their own, taking into account the business needs of the Council.
- 3.1.g Appoint all employees in accordance with the Council's staff structure.
- 3.1.h Authorise additional hours of work for existing staff on a temporary basis to support the business needs of the Council.

- 3.1.i Take decisions relating to the training of Councillors & staff.
- 3.1.j Deal with all disciplinary matters and hearings in accordance with the Council's Disciplinary Policy.
- 3.1.k Manage the provision of Council services, buildings, land and resources.
- 3.1.l Project development for consideration by relevant Committee/Council.
- 3.1.m Management of maintenance contracts.
- 3.1.n Incur expenditure in an emergency up to £3,000 whether budgeted or not.
- 3.1.o Order goods/services to meet the business needs of the Council in accordance with Financial Regulation 5.15, 5.17 & 5.18.
- 3.1.p Manage risk management of the Council.
- 3.1.q Have overall responsibility for Health & Safety across all Council owned sites.
- 3.1.r Arrange and manage the Council's insurance arrangements.
- 3.1.s Act on behalf of the Council in an urgent situation and report back to the Council as soon as practical.
- 3.1.t Issue press releases on any Council activity exercised in accordance with Council policy.
- 3.1.u Deal with dispensation requests from Members under the Code of Conduct.
- 3.1.v Deal with matters specifically delegated by Council or Committee.
- 3.1.w Be responsible for the overall management of all budgets in accordance with Council Policies.
- 3.1.x Be responsible for actions relating to Telscombe Tye.
- 3.1.y Be responsible for supporting the work of the Neighbourhood Plan.

### **3.2 Responsible Financial Officer**

The Responsible Financial Officer as defined in law shall deal with duties as specified in the Council's Financial Regulations.

#### **In addition the Responsible Financial Officer will;**

- 3.2.a Ensure proper administration of the Council's financial affairs in compliance with Financial Regulations.
- 3.2.b Determine accounting policies, records and control systems.
- 3.2.c Report to the appropriate Committees on their financial performance and overall to Full Council.
- 3.2.d Oversee the management of the budget process & prepare a budget for presentation to the Full Council in consultation with the Policy & Resources Committee/working group.
- 3.2.e Complete the annual close down of the accounts system.
- 3.2.f Manage Council salaries in accordance with contracts of employment.
- 3.2.g Incur expenditure in an emergency up to £3,000 whether budgeted or not.
- 3.2.h Deal with matters specifically delegated by Council or Committee.

- 3.2.i Invest funds as required to meet the needs of the Council's spending in accordance with the Investment Policy, and Financial Regulations
- 3.2.j Be responsible for providing financial advice and work in relation to the Neighbourhood Plan finances.

### **3.3 Amenities Officer**

The Amenities Officer will be responsible for:-

- 3.3.a Day to day management of parks, playgrounds and street furniture following consultation with the Town Clerk.
- 3.3.b Developing income generating activities in consultation with Town Clerk.
- 3.3.c In the absence of the Town Clerk, authorised to issue press releases on any Council activity exercised in accordance with Council policy, ONLY following agreement by the Mayor and Chairman of the Policy & Resources Committee.

### **3.4 Admin Support Staff**

The admin support staff will be responsible for:-

- 3.4.a Day to day management of Civic functions of the Council.
- 3.4.b Day to day management of general office administration, including stationery ordering within budgets as allocated and agreed by the Town Clerk.
- 3.4.c Overseeing Council transparency, access to information and data use and storage, including day to day management of Council's website.
- 3.4.d Responsible for room hire bookings, issuing of invoices and chasing late payments relating to hire of the Civic Centre rooms.
- 3.4.e Matters specifically delegated by Council or Committee.