

# **Sandy Town Council**



## **Scheme of Delegations**

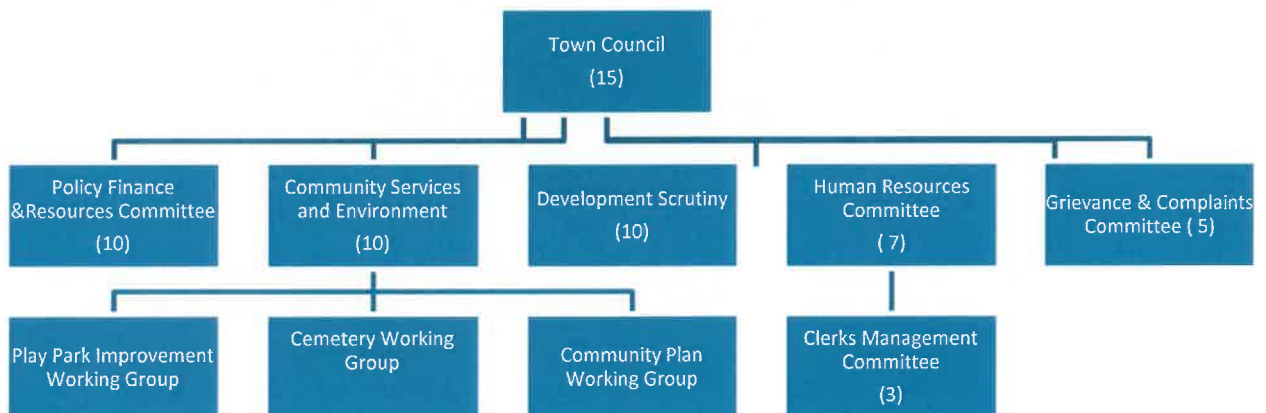
**Re-adopted May 2018**

# FUNCTIONS DELEGATED TO COMMITTEES

## 1. DELEGATED POWERS

Members will be advised by the Town Clerk whether or not a particular item under discussion is within the Committee's (or Sub-Committee's) delegated powers. The minutes will then record the decision as "**Resolved**".

If the matter is not within the Committee's delegated powers, then the minutes will show the decision as "**Recommended**", and the matter will then be brought to the Council's particular attention by the Chairman of the Committee at the next meeting of the Council. This item can be discussed in full by the Town Council. In any case where a Committee (or Sub-committee) Chairman and Vice Chairman is either unsure whether or not any matter falls within delegated powers, or whether or not any matter should be determined by them, they should refer that matter to the next highest level of decision. A delegated power need not always be exercised.



## **2. DEVELOPMENT SCRUTINY COMMITTEE**

1. Membership shall comprise 10 members and the committee has delegated powers.
2. The Committee shall elect a Vice Chairman for each civic year.
3. The Committee shall receive and consider all planning applications from the Local Planning Authority. Having due regard to all material considerations it shall make appropriate comments and recommendations to the Local Planning Authority. If the planning application under consideration exceeds 6 houses or concerns a major development of significance to the Town (e.g. supermarket) or if the application is of a sensitive nature the application shall be referred to the Town Council.
4. The Committee shall make such observations and comments as it sees fit to the Local Planning Authority in respect of planning development management enforcement matters in the town.
5. The Committee shall make such observations and recommendations as it sees fit to the Local Planning Authority in respect of planning policy matters.

## **3. POLICY, FINANCE AND RESOURCES COMMITTEE**

1. Membership shall comprise 10 members. This committee has delegated powers within the terms of reference and within the current financial year's budget.
2. The Committee shall elect a Vice Chairman for each civic year.
3. The Committee shall propose, monitor and review such policies as the Committee considers necessary to achieve the Council's long term aims and objectives and satisfy itself that satisfactory arrangements are in place to promote economy, efficiency and effectiveness.
4. The Committee shall monitor and review the management of the Council's assets, including the total level of expenditure of the Council reporting this to Council as necessary and shall advise the Council generally as to its financial and economic policies and as to the allocation and control of its financial resources.
5. The committee shall receive bi-monthly reports from the Responsible Finance Officer on the budget to date and shall review income and expenditure against budget at each meeting.
6. The committee shall make recommendations to Council on:-
  - a) the annual estimates of revenue and capital expenditure
  - b) the management of the Council's finances and the budgetary framework and processes

7. The committee shall monitor annually the performance and effectiveness of external and internal auditors, and make recommendations to the Council concerning their re-appointment, terms of engagement of the internal auditor and the audit fee where appropriate.
8. The committee shall monitor the implementation of agreed audit-based recommendations.
9. The committee shall report to the Council its recommendations on all issues relating to risk management and internal controls and shall review the Council's Risk Register, Risk Policy and corporate risk management.
10. The committee shall consider the Council's annual financial statements, the auditors' formal opinions, Members' responsibilities and the review of effectiveness of internal controls before recommending these to Council.
11. The committee shall oversee the Council's policy on fraud and irregularity including being notified of any action taken under that policy
12. The committee shall oversee the Council's governance arrangements including arrangements for the conduct of reviews of the effectiveness of the Town Council.
13. The committee shall monitor and review all aspects of the Council's Health and Safety Management system and make recommendations to Council about the provision of specialist Health and Safety support services.
14. The committee shall prepare any emergency planning strategies or arrangements for recommendation to the Council.

#### **4. COMMUNITY SERVICES AND ENVIRONMENT COMMITTEE**

1. Membership shall comprise 10 members. This committee has delegated powers within the terms of reference and within the current financial year's budget.
2. The Committee shall elect a Vice Chairman for each civic year.
3. The committee shall propose, monitor and review such services and activities of the Council as the Committee considers necessary to achieve the Council's long term aims and objectives.
4. The committee shall review the Council's play area inspection and maintenance schedules to ensure that all play areas and equipment and the skate park are safe and fit for purpose and shall investigate grants to provide new play equipment.

5. The committee shall review and monitor the inspection and maintenance schedules of all the public open spaces owned or managed by the Town Council and oversee grass cutting contracts and other maintenance contracts.
6. The committee shall monitor and maintain the management arrangements of the cemetery, chapel and closed churchyard.
7. The committee shall monitor and maintain the former allotment site and endeavour to provide adequate allotment provision for the whole community of Sandy.
8. The committee shall review, monitor and maintain The Pinnacle and The Riddy nature reserve, overseeing relevant management agreements with specialist service providers.
9. The committee shall review, monitor and maintain the footway lighting provided by the Town Council as well as all street furniture including litter bins, seats and planters.
10. The committee shall take action to enhance the environment of the town and shall use the planting budget allocated on an annual basis to make provision for horticultural decorations within the town.
11. The committee shall consider additional service provision to meet the needs of the Town and to promote the Town of Sandy.
12. The committee shall formulate a plan and monitor and promote participation in civic events, Town Centre events and annual town events.
13. The committee shall recommend a community engagement strategy to the Council and shall review, monitor and oversee the Town Council's publications scheme and all publicity materials save the Annual Report.
14. The committee shall receive and consider reports from the Town Plan Steering Group, the Town Team and the Sandy Enhancement Group (or any other community group) and recommend actions to the Town Council arising from the reports.

## **5. HUMAN RESOURCES COMMITTEE**

### **Purpose of the Committee**

This committee is appointed to make decisions about all staffing matters subject to budget and expenditure limits decided by the Policy Finance & Resources committee and has delegated powers within these limits. Membership shall comprise 7 members and the committee will report to the Town Council.

The meetings of the committee will be open to members of the public but in practice in order to comply with the requirements of the Data Protection Act 1998 many items of business may be considered as confidential items.

### **Operation**

The committee will meet no less than 4 times per year in line with the published schedule and receive reports as described in the schedule. The Council will elect a committee Chairman each year and the committee will appoint a vice-chairman for each civic year.

### **Terms of reference**

1. Membership shall comprise 7 members. This committee has delegated powers within the terms of reference and within the current financial year's budget.
2. The Committee shall elect a Vice Chairman each year civic year.
3. To establish and keep under review the staffing structure of the council in consultation with the PF&R Committee.
4. To draft, implement and monitor and review staff policies and to make recommendations regarding the outsourcing of specialist HR advice.
5. To establish and review salary pay scales for all staff and to be responsible for their administration; also, to make recommendations on staffing related expenditure to the PF&R Committee.
6. To oversee the recruitment and appointment of staff.
7. To keep under review staff working conditions and the health and safety at work of all council employees.
8. To consider any appeal against a decision in respect of pay.
9. To establish and review performance management systems, including annual appraisals and to make arrangements for the annual appraisal of the Clerk.
10. To oversee any process leading to dismissal of staff (including redundancy)
11. To consider grievances and disciplinary matters
12. To oversee the work of the Clerk and to handle grievance and disciplinary matters and pay disputes

### **Town Clerk's Responsibilities**

The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, including:

- 1 the employment of temporary employees
- 2 the employment of permanent employees in conjunction with members of the Human Resource Committee
- 3 control of staff performance and discipline, including the power of temporary suspension from duties

- 4 monitoring, management and reporting of regular or sustained staff absence
- 5 payment of expenses and allowances in accordance with the Council's agreed policies
- 6 to present to the Human Resources Committee recommendations for employees' increments, in accordance with the Council's staff appraisal system
- 7 the Town Clerk will also report on HR matters to the Human Resources Committee

### **Annual Schedule of Meetings**

#### **Meeting 1**

Election of Vice Chairman

HR Briefing for members on role and responsibilities of committee

#### **Meeting 2**

#### **Meeting 3**

Report on annual appraisal process (not individuals)

Recommendations for increments

Recommendation for training budget for forthcoming year

#### **Meeting 4**

Review of absence/sickness for preceding calendar year

#### **Every meeting**

Report on relevant Health and Safety issues, reports of accidents etc

Report on relevant training issues

Report on disciplinary and policy issues

(Based on schedule agreed October 2012)

## **6. CLERKS MANAGEMENT COMMITTEE**

### **Purpose of the Committee**

This committee is appointed to consider grievance or disciplinary matters (not including any appeal therefrom) referred from the HR committee and to manage the Town Clerk. Membership shall comprise of the Chair of Human Resources committee; the Mayor and Deputy Mayor and the committee will report to the HR Committee. The annual Appraisal of the Town Clerk will be carried out by the Chair of Human Resources Committee, the Mayor and Deputy Mayor. This will be reported back to the Human Resources Committee.

The committees purpose is to deal with complaints and grievances and the committee has delegated authority to deal with these in line with the policies outlined in the employment handbook of the council. The public has no right of advance notification or right to attend a meeting of the Clerks Management Committee since its delegated business will always be confidential as it will involve personal information.

### **Operation**

The committee will meet as required. The Chair of the Human Resources Committee will act as chairman of the committee.

### **Terms of reference**

1. To consider grievance or disciplinary matters in accordance with the council's grievance or disciplinary policies as laid out in the employment hand-book
2. To manage the Town Clerk
3. To consider any appeal by the Clerk against a decision on pay

(If an appeal is to be held against the decision of the committee, this must be taken to a sub-committee appointed for this purpose. As a sub-committee must be composed of three members at least, it may be necessary to make up a sub-committee from any remaining HR committee members who have not been involved in the matter it may also be necessary to include members of council who are not members of the main HR committee in some circumstances.)

## **7. GRIEVANCE AND COMPLAINTS COMMITTEE**

The Grievance and Complaints Committee will have five members elected at the annual meeting of the Town Council specifically for the purpose of hearing complaints which fall into the Town Council's grievance complaints policy. The Grievance and Complaints Committee will not deal with complaints against individual members of council or members of staff. If members of the committee elected at the annual meeting are unable to participate in a complaints hearing for any reason (e.g. conflict of interest, absence) the Town Council will appoint additional members to the committee.

The committee has delegated powers to deal with complaints about administration or procedure by Sandy Town Council.

The Committee reports direct to Town Council and any appeal against its findings will be dealt with by the Town Council.

## **RESPONSIBILITIES DELEGATED TO TOWN COUNCIL OFFICERS**

### **Proper Officer**

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 or Responsible Financial Officer.

### **General Matters**

The Town Clerk is authorised:

1. to sign on behalf of the Council any document necessary to give effect to any decision of the Council
2. to take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council



3. to institute, defend and appear in any legal proceedings authorised by the Council
4. to appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the residents of Sandy)
5. to alter the date or time of a Council/committee meeting but, before doing so, shall consult with the relevant Chairman about the need for the change and about convenient alternative dates and times
6. to decide arrangements for the closure of the Council offices in the Christmas/New Year period, subject to consultation with the Mayor
7. to manage the Council's facilities and assets, including allotments, open spaces, amenity areas, cemetery, and any other buildings and assets
8. to act as the Council's designated officer for the purposes of the Freedom of Information Act 2000
9. to act as the Council's proper officer as per section 281 Local Government Act 1972.

### **Financial Matters**

The Town Clerk is authorised as follows:

1. To incur expenditure up to a maximum of £1,500 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 Standing Orders and Financial Regulations
2. To use the repairs and maintenance budgets for the maintenance, or repair of existing areas, plant, vehicles or equipment.
3. To accept quotations or tenders (where tenders are required by the Council's Financial Regulations) for work supplies or services subject to:
  - a. the cost not exceeding the amount of the approved budget
  - b. the tender being the lowest or the one showing best added value to the Council according to the criteria set out in the tender documentation
  - c. all the requirements of the Council's Financial Regulations being complied with.
4. To compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
5. Having consulted with the Council, to invest monies held by the Council with a view to obtaining the optimum financial return.

**Staffing Matters**

The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, see list above at 5.

**Property Matters**

The Town Clerk is given authority to manage the land and property of the Council including:

1. agreeing the terms of any lease, licence, conveyance or transfer approved by Council.
2. the granting or refusal of the Council's consent under the terms of any lease variations of restrictive covenants of a routine nature
3. the granting of easements, wayleaves and licenses over Council Land approved by the Council
4. initiating legal action or proceedings against unauthorised encampments on Council land.

**Urgency**

The Town Clerk is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council or relevant committee or sub-committee. The Mayor and Deputy Mayor are to be consulted before such action is taken.

<b>Proposed Guide to Scheme of Delegations – Sandy Town Council May 2012</b>		
<b>Service</b>	<b>Function</b>	<b>Committee</b>
Agency Agreements	Recommending agency agreements and joint working practices	PF&R Committee
Allotments	See Land and property management	
Arts	Managing Council's arts-related activities	C&ES Committee
Audit	Maintenance of continuous internal audit system	PF&R Committee
	Receiving and considering reports on internal audit and monitoring implementation of action plans	PF&R Committee
	Receiving and approving annual return and statement of governance	TC
Budgetary Control	Recommending the annual estimates and precept Managing budgetary control	PF&R Committee
	Setting annual estimates and precept	TC
Byelaws	Recommending the making of byelaws	PF&R Committee
Capital Expenditure	Recommending capital works	PF&R Committee
	Approving capital works	TC
Car Parking	Management of Town Centre Car Park Commenting on management of parking in town	C&ES Committee DS Committee
Cemetery and Churchyard	Management and operation of burial functions and responsibilities	C&ES Committee
Civic Events	Organising civic events	C&ES Committee
Committee and Member Support	Recommending annual calendar of meetings	PF&R Committee
	Recommending changes to Standing orders and Financial Regulations	PF&R Committee
	Managing all committee and member functions (eg expenses)	PF&R Committee
Community Support	Management of community support activities including provision and maintenance of services, liaison with other bodies etc	Services – C&ES Committee Resources – PF&R Committee
Complaints	Monitoring complaints procedure	PF&R
Conservation	Commenting on proposals for	DS Committee



	<i>modification of conservation area</i>	
<i>Constitution</i>	<i>See member and committee support</i>	
<i>Culture</i>	<i>See Arts</i>	
<i>Development Control</i>	<i>Commenting on planning applications referred to Council (up to 6 houses)</i>	<i>DS Committee</i>
	<i>Commenting on larger or sensitive applications</i>	<i>TC</i>
	<i>Commenting on planning consultations</i>	<i>DS Committee</i>
<i>Electoral Matters</i>	<i>Recommending initiating requests for boundary reviews and commenting during reviews</i>	<i>PF&amp;R Committee</i>
	<i>Approving the initiating of requests for boundary reviews and commenting during reviews</i>	<i>TC</i>
<i>Entertainment</i>	<i>See Arts</i>	
<i>Environment</i>	<i>See Heritage</i>	
<i>External Consultation and Representation</i>	<i>Commenting on consultation documents from other bodies</i>	<i>Appropriate committee</i>
	<i>Appointments to serve on outside bodies</i>	<i>TC</i>
<i>Financial Matters</i>	<i>Management</i>	<i>TC with advice from PF&amp;R Committee</i>
<i>Footpaths</i>	<i>Commenting on proposals for maintenance, repairs, changes and associated matters</i>	<i>C&amp;ES Committee</i>
<i>Grants</i>	<i>Allocation of sum for community grants</i>	<i>TC and Community First Panel</i>
<i>Heritage</i>	<i>Dealing with general matters affecting the historic and natural environment and heritage of Sandy</i>	<i>C&amp;ES Committee</i>
<i>Highways</i>	<i>Commenting on proposals for highways maintenance repairs and associated matters</i>	<i>C&amp;ES Committee</i>
<i>Insurance</i>	<i>Arranging and maintaining insurance cover</i>	<i>PF&amp;R Committee</i>
<i>Jenkins Pavilion</i>	<i>See land and property management</i>	
<i>Land and Property Management</i>	<i>Managing and maintaining all buildings</i>	<i>PF&amp;R Committee</i>
	<i>Recommending of hire charges</i>	<i>PF&amp;R Committee</i>
	<i>Approval of hire charges</i>	<i>TC</i>
	<i>Maintaining amenity land, play areas, recreation grounds, skate park and open spaces including the Riddy and the Pinnacle</i>	<i>C&amp;ES Committee - services PF&amp;R Committee - resources</i>



	<i>Managing, maintaining and monitoring demand and availability of allotments</i>	<i>C&amp;ES Committee</i>
<i>Legal Proceedings</i>	<i>To institute, defend or settle any judicial or quasi-judicial proceedings on behalf of the council and to engage legal services</i>	<i>TC</i>
<i>Markets</i>	<i>Manage and publicise markets</i>	<i>C&amp;ES Committee</i>
<i>Lighting</i>	<i>Manage and maintain STC public lighting provision</i>	<i>PF&amp;R Committee</i>
<i>Performance Matters</i>	<i>Recommend adoption of policies, strategic and business plans including risk management assessments</i>	<i>PF&amp;R Committee</i>
	<i>Overall review of performance and strategy</i>	<i>TC</i>
<i>Planning Policy</i>	<i>Commenting on LDF documents</i>	<i>DS Committee</i>
<i>Play Areas</i>	<i>See land and property management</i>	
<i>Policies</i>	<i>See performance matters</i>	
<i>Publicity</i>	<i>Website, newsletters, managing the council's public relations and community surgeries etc</i>	<i>C&amp;ES Committee</i>
<i>Public Toilets</i>	<i>See land and property</i>	
<i>Public Transport</i>	<i>Making observations on matters affecting public transport in and around Sandy</i>	<i>C&amp;ES Committee</i>
<i>Rights of Way</i>	<i>See footpaths</i>	
<i>Recreation Grounds</i>	<i>See land and property management</i>	
<i>Risk Management</i>	<i>See performance matters</i>	
<i>Roman Sandy</i>	<i>Conservation and display of Roman Sandy Artefacts and maintenance of Roman Sandy website</i>	<i>C&amp;ES Committee</i>
<i>Skate Park</i>	<i>See land and property management</i>	
<i>Sports Pitches</i>	<i>See land and property management</i>	
<i>Staffing</i>	<i>Recommending to Town Council changes to the Council's staffing establishment</i>	<i>HR sub-Committee</i>
	<i>Approving of changes to the Council's staffing establishment</i>	<i>TC</i>
	<i>Reviewing and monitoring the Council's employment arrangements</i>	<i>HR sub-Committee</i>
<i>Street Naming</i>	<i>Proposing names</i>	<i>C&amp;ES Committee</i>
<i>Town Clerk</i>	<i>Recommending to Town Council</i>	<i>HR sub-Committee</i>





	<i>the appointment of the Town Clerk</i>	
	<i>Approving the appointment of the Town Clerk</i>	<i>TC</i>
<i>Traffic Issues</i>	<i>Making observations on matters affecting traffic management in and around Sandy</i>	<i>C&amp;ES Committee</i>
<i>Trees</i>	<i>Managing tree planting schemes and monitoring tree safety</i>	<i>C&amp;ES Committee</i>
	<i>Commenting on TPOs</i>	<i>DS Committee</i>
<i>Twinning</i>	<i>Make arrangements for twinning visits and activities</i>	<i>C&amp;ES Committee</i>

