



COMMITTEE & SUB COMMITTEE TERMS OF REFERENCE AND SCHEME OF DELEGATION

Recommended: Finance, Policy & Resources Committee
11th April 2019
Approved: Annual Meeting -16th May 2019
Updated: Annual Meeting – 17th May 2023

Under the provisions of Section 101 of the Local Government Act, 1972 a Local Authority has powers to arrange for the discharge of its functions by a Committee, Sub-Committee or an individual Officer of the Authority.

If the number of Councillors present falls below the required quorum at any meeting then the meeting will be adjourned and no business will be transacted.

Full Council

This is the main Committee of the Council

Membership: 15 Quorum: 5

The Council shall elect a Chair and Vice Chair from its membership at the Council's Annual Meeting, and will meet six (6) times per annum (January, March, May, June, September and November). Members of the Youth Council aged 18 years old or older may attend and participate as non-voting members.

Terms of Reference

1. To set the annual budget and Precept
2. The duty to approve the Council's Annual Internal Audit and Annual Governance and Accounting Statements.
3. The appointment to or co-option on to a Committee, Sub-Committee or Working Group of a person who is not a member of the Council, the Committee or Working Group;
4. To approve the Council's Standing Orders, committee structures, constitution and procedures of Committees and Sub-Committees;
5. To agree the dates of meetings of the Council and its Committees at the Annual Meeting;
6. To make appointments to outside bodies between Annual Meetings of the Council;
7. Filling of vacancies occurring on any Committee of the Council during the Council year;
8. To approve all Strategic and Policy Documents on behalf of the authority;
9. Responding to consultations or delegating to appropriate Committee
10. The appointment or dismissal of the Town Clerk.
11. To receive presentations or reports by representatives from outside organisations.

Finance & General Purposes Committee

Finance & General Purposes Committee is the main policy making Committee of the Council and considers the broad social and economic needs of the Town.

The Committee shall elect a Chair and Vice Chair from its membership at the Council's Annual Meeting.

The Finance & General Purposes Committee will meet eleven (11) times per annum and has delegated powers to make binding decisions on behalf of Billingham Town Council with regard to all aspects detailed in the terms of reference. Members of the Youth Council aged 18 years old or older may attend and participate as non-voting members.

Membership: 9 Members

Quorum: 3

Terms of Reference

1. To guide the Council in the formulation of its objectives and to identify the need for new services and facilities.
2. To ensure the Council's strategies, policies and procedures are undertaken in accordance with statutory and legislative requirements.
3. To keep under review the policies and resources of the Council in relation to all services and to advise the Council on the future development of existing or the introduction of new services.
4. To advise the Council as required on all matters affecting its Constitution and the procedures applying to the Council and its Committees.
5. To maintain a continuous general oversight of the Council's administration.
6. To be responsible for allocating and controlling the financial and human resources of the Council.
7. To advise the Council on any major policy changes in the Council's management or administrative procedures.
8. To make recommendations to the Council on the annual financial estimates and the Council's precept as to how these should be determined consistently with the Council's general priorities and policies
9. To make recommendations to the Council on the Annual Internal Audit and Annual Governance and Accounting Statements.
10. To receive from other Committees and to collate prior to the submission to the Council all annual and other estimates of income and expenditure on capital and revenue.
11. To formulate and present to the Council recommendations for annual expenditure.
12. To supervise the Council's Accounts
13. To supervise and control borrowing by the Council and the investment of funds within the Council's control.
14. To make recommendations to the Council on any capital programme, its content, phasing and monitoring.
15. To execute and carry out, in the name and on behalf of the Council, all resolutions and instructions from time to time given with reference to finances and accounts.
16. To have the direction and control of insurance in respect of the Council's property, members, and employees.
17. To provide efficient financial services and advice for the benefit of the Council.
18. To deal with applications for grants and donations.
19. To oversee the strategic and policy issues affecting the Council's acquisition and development of information technology and to review regularly the Council's Information Technology strategy
20. To respond to consultative documents from Government and other bodies other than those specifically allocated to other Committees or Sub-Committees.
21. To enter into legal proceedings on the Council's behalf.
22. To manage health and safety policy and issues.

23. To advise the Council on the overall strategic asset management priorities, receive regular reports on the management and condition of assets to ensure the safeguarding.
24. To manage and maintain expenditure for maintenance and upkeep of all Council assets, land, buildings and premises.
25. To act as the Appeal Committee in the matter of disputed complaints to the Council.
26. To engage appropriately qualified individuals or bodies to assist the Committee in exercising its delegated powers within the agreed budget.
27. The facilitation of economic development initiatives, including those pertaining to town centre matters, and the making of recommendations on all related matters and liaison as appropriate with other agencies.
28. To deal with all and make representation on all matters relating to transport, public paths, highways, vehicle parking and traffic management, including disabled parking bay applications.
29. To respond on all matters of general environmental importance affecting the area and to consider and comment on any policies or procedures of any other agencies as appropriate.
30. To make representations to the appropriate authority in respect of public transport services.
31. To oversee the Council's Communication Strategy.
32. To approve draft minutes from Finance and General Purposes meetings.
33. To approve payments lists presented.
34. To approve the draft minutes from the committee meetings.
35. To appoint Task and Finish groups where appropriate.
36. To deal with matters not normally dealt with or specifically referred to other Committees or Sub-Committees.
37. Where necessary, because of the time-scale, the Town Clerk be authorised to respond on behalf of the Council provided they have consulted with the Chair and Vice Chair of the Council.

Planning Applications

1. A list of planning applications will be circulated to all Councillors on a regular basis.
2. Applications will only be considered at committee/council if they are deemed to be of significant importance due to size, impact or where there is a written objection on a valid material consideration from a member of the public.
3. Any Councillor can request that a minor application be considered in full by a committee or council if there is a significant reason it should be discussed.

Services & Engagement Committee

This Committee monitors the operation of Town Council services and amenities, projects and community activities, ensuring a high standard of provision. It considers their further development and the development of other facilities to improve the overall wellbeing of the residents of Billingham and reduce current health inequalities. The Committee will work with its upper tier authority as well as partner agencies to support the delivery of the Health and Wellbeing Strategy to build an environment that is supportive of living a healthy lifestyle. It will also develop and maintain an overview of policy and

strategic direction for the Café in the Park. It will meet eleven (11) times per year and report directly to Council. It has authority to coopt external advisors with non-voting rights to its meetings as and when required. Members of the Youth Council aged 18 years old or older may attend and participate as non-voting members.

Membership: 7

Quorum: 3

Terms of Reference

1. To provide strategic direction, including monitoring and reviewing strategic and operational plans, policies and budgets to improve the efficiency, effectiveness and quality of services.
2. Monitor standards of delivery service and agree action plans and the deployment of resources.
3. Monitor the achievement of financial objectives and budgets.
4. Prepare and review procedural documents (strategies, policies, protocols and procedures).
5. To monitor and develop communications, marketing and stakeholder engagement.
6. Create and oversee the delivery of an Annual Programme of events/initiatives which encourages community cohesion and inclusivity, ensuring a good mix of regular events.
6. To consider all matters arising from community events, engagement and consultations.
7. To consider different methods of engaging with residents of Billingham.
8. To monitor and review local Health & Wellbeing plans for improving outcomes in Billingham within the framework of the local authority Strategy from the Health & Wellbeing Board and engage with our upper tier authority and local VCSE sector to deliver positive outcomes or complement and support existing programmes.
9. Monitoring health and wellbeing, identifying emerging trends and any additional actions required.
10. Assess, plan and implement activities that will increase awareness on various wellbeing topics.
11. Provide activities that will help to build the required skills to maintain a healthy lifestyle.
12. To continuously evaluate and improve upon the delivery of the wellness programme through use of evidence based methods.
13. To build strong partnerships with various stakeholders.
14. To identify funding opportunities to support the aims of Joint Strategic Needs Assessment (JSNA).
15. To provide, as appropriate, updates and links to the local authority s strategy and other appropriate groups..
16. This committee to approve the draft minutes from the committee meetings.
17. To appoint Task & Finish groups where appropriate.

Staffing Sub Committee

The Staffing sub committee considers all policy aspects of human resources and personnel including establishment, grading and conditions of service. The Committee will only meet as and when necessary and has delegated powers to make binding decisions on behalf of Billingham Town Council with regard to all aspects detailed in the terms of reference where stated.

Membership: The sub committee will consist of the Chair, Vice Chair, the Chair of the Finance & General Purposes Committee and the Town Clerk.

Terms of reference

1. To determine the Council's staffing structure and establishment and make recommendations to the Finance & General Purposes Committee.
2. To determine the Council's policy on deployment, welfare, superannuation, remuneration, recruitment, training, qualifications, health and safety aspects and other conditions of service of all employees and make recommendations to the Finance and General Purpose Committee.
3. To determine schemes for the employment of people under apprenticeship, job creation and youth training programmes and make recommendations to the Finance & General Purposes Committee.
4. To determine those discretionary provisions contained in the scheme of Service of the National Joint Council for Local Authorities (NJC) and North East Regional Employers (NEREO) for administrative and professional, technical and clerical staff
5. The recruitment of staff above salary scale point 26 as necessary.
6. To determine the training and qualification policy of the Council.
7. To oversee the Council's pension policy and the criteria required for eligibility and make recommendations to the Finance and General Purpose Committee.
8. Liaise with external sources, ie. NALC, NCC and NEREO where appropriate to obtain advice, guidance and information where required.

Disciplinary & Grievance Sub Committee

This sub committee will sit when it is necessary to deal with Formal Disciplinary hearings as set out in the Disciplinary Policy. This sub committee will consist of 3 Members who have not had any dealings with the process prior to the hearing as to ensure impartiality. It will be chaired by the Vice Chair of the Finance & General Purposes Committee (unless they have acted as a Deputy for the Chair of the Finance & General Purposes Committee in a Staffing Committee). This should be a cross party sub committee where practicable.

Terms of reference

1. The Disciplinary & Grievance sub committee will hear evidence from both sides and will decide whether disciplinary action is justified or not.
2. Before making a decision, the sub committee may take into account the employee's disciplinary and general record, actions taken in any previous similar case, the explanations given by the employee and –

most important of all – whether the intended disciplinary action is reasonable under the circumstances.

3. Where the sub committee find an employee guilty of misconduct they will take the appropriate action as set out in the Council's Disciplinary Policy.
4. Employees have a right to lodge an appeal within the set time limits as set out in the Disciplinary Policy to the Appeals sub committee.

Appeals Sub Committee

The Appeals sub committee will be empowered to consider an appeal by any employees of the Council referred to it in accordance with the appropriate Disciplinary and Capability Policies. This sub committee will consist of 3 Members who have not had any dealings with the process prior to the hearing as to ensure impartiality.

Terms of reference

1. To hear and determine all matters of appeal.

SCHEME OF DELEGATION

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, Standing Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed:

The following list of delegations to the Town Clerk may, from time to time, be further delegated to the Council's Officers at the discretion of the Town Clerk.

1. Proper Officer

- 1.1 The Town Clerk shall be the Proper Officer for any purpose in respect of which a Proper Officer is mentioned in any Statute.
- 1.2 The Town Clerk as Proper Officer is specifically authorised to:
 - (i) Receive declarations of acceptance of office;
 - (ii) Receive and record notices disclosing pecuniary interests;
 - (iii) Receive and retain plans and documents;
 - (iv) Sign notices or other documents on behalf of the Council and arrange for legal deeds to be sealed and witnessed reference Standing Order 14(a) and (b).
 - (v) Receive copies of Bye-laws made by a Primary Local Authority;
 - (vi) Certify copies of Bye-laws made by the Council;

- (vii) Sign summonses to attend meetings of the Council.
- 1.3 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:
- (i) The day to day administration of services, facilities and assets together with routine inspection and control;
 - (ii) To manage the Council staff in accordance with the Council's policies, procedures and budget including appointments to posts as per the Standing Orders, and the employment of temporary employees.
 - (iii) Control of staff performance and discipline, including the power of suspension or dismissal.
 - (iv) Payment of expenses and allowances in accordance with the Council's scheme.
 - (v) The approval of increments, in accordance with the Council's staff appraisal system.
 - (vi) Authorisation of routine expenditure within the agreed budgets;
 - (vii) Emergency expenditure because of an unforeseeable emergency involving immediate risk to persons, property or other assets or serious disruption to Council Services.
 - (viii) To institute, defend and appear in any legal proceedings authorised by the Council;
 - (ix) To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest
 - (x) To agree the terms of any lease, licence, conveyance or transfer.
 - (xi) Variations of restrictive covenants of a routine nature.
 - (xii) The granting of easements, wayleaves and licenses over Council land.
 - (xiii) Where necessary, because of the time-scale, the Town Clerk be authorised to respond on behalf of the Council provided they have consulted with the Chair and Vice Chair of the Council.
- 1.4 To act as the Council's designated officer for the purpose of the Freedom of Information Act 2000 and respond to any Freedom of Information requests..
- 1.5 Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, Contracts and Procurement and this Scheme of Delegation and with directions given by the Council from time to time.

2.0 Responsible Financial Officer

- 2.1 The Town Clerk shall be the Responsible Financial Officer to the Council under Section 151 of the Local Government Act 1972.
- 2.2 The Town Clerk shall be the Responsible Financial Officer for any purpose in respect of a Responsible Financial Officer is mentioned in any statute.
- 2.3 The Town Clerk, as Responsible Financial Officer is specifically authorised:
- (i) To determine the Council's accounting system and the form of the accounts and supporting accounting records;
 - (ii) The Town Clerk is responsible for the proper administration of the Council's financial affairs which includes reviewing the Council's Financial Regulations and submitting any revisions to the Council for approval.
 - (iii) Full details of the Responsible Financial Officer's financial responsibilities are set out in the Council's Finance Regulations.

3.0 Council

- 3.1 The following Powers will only be exercised by the Full Council.
- (i) The power to issue a precept for a rate.
 - (ii) The determination of borrowing limits.
 - (iii) The duty to approve the Council's Annual Internal Audit and Annual Governance and Accounting Statements.

4.0 Functions Delegated to Committees

4.1 Delegated Powers

All decisions made by the Committees are subject to confirmation by the Council unless, delegated powers have been given to deal with particular matters.

Decisions taken by Sub-Committees must be endorsed by their appointing committee and by the Council unless they have been given delegated powers.

All decisions taken by Committees or Sub-Committees which have full delegated powers will be recorded as **"RESOLVED"**.

At all other Committees / Sub-Committee meetings the minutes will show the decision as “**RECOMMENDED**” and will then be subject to confirmation.