

Sandy Town Council



Scheme of Delegations

Amended and August 2021

FUNCTIONS DELEGATED TO COMMITTEES

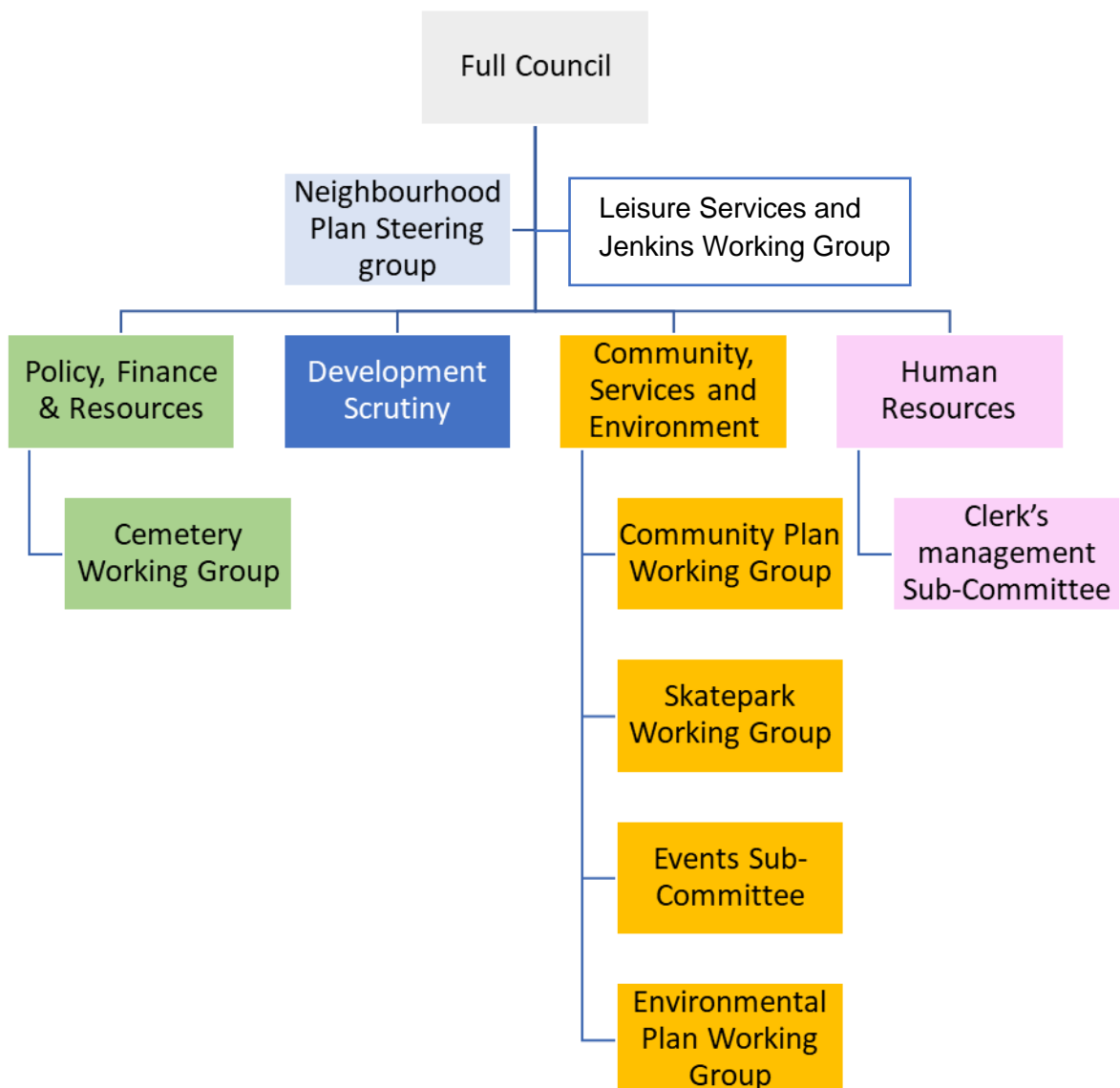
1. Delegated Powers
2. Development Scrutiny Committee
3. Policy, Finance and Resources Committee
4. Community Services and Environment Committee
5. Human Resources Committee
6. Clerks Management Sub-Committee
7. Grievance and Complaints Committee
8. Events Working Group
9. Cemetery Working Group
10. Community Plan Working Group
11. Neighbourhood Plan Steering Group
12. Leisure Services and Jenkins Working Group
13. Skatepark Working Group
14. Responsibilities Delegated to Town Council Officers

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/Working Group'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

- 2.1 Membership shall comprise 10 members and the committee has delegated powers.
- 2.2 The Committee Chairman will be elected by the Full Council at the Annual Meeting of Council. The Committee shall elect a Vice Chairman at its first meeting of the Council year.
- 2.3 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 (eg supermarket) or if the application is of a sensitive nature the application shall be referred to the Town Council.
- 2.4 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.
- 2.5 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

- 3.1 Membership shall comprise 10 members. This committee has delegated powers within the terms of reference and within the current financial year's budget.
- 3.2 The Committee Chairman will be elected by the Full Council at the Annual Meeting of Council. The Committee shall elect a Vice Chairman at its first meeting of the Council year.
- 3.4 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.
- 3.5 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.
- 3.6 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.

- 3.7 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
- 3.8 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.
- 3.9 The committee shall monitor the implementation of agreed audit-based recommendations.
- 3.10 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.
- 3.11 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.
- 3.12 The committee shall oversee the Council's policy on fraud and irregularity including being notified of any action taken under that policy.
- 3.13 The committee shall oversee the Council's governance arrangements including arrangements for the conduct of reviews of the effectiveness of the Town Council.
- 3.14 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.
- 3.15 The committee shall prepare any emergency planning strategies or arrangements for recommendation to the Council.

4. COMMUNITY SERVICES AND ENVIRONMENT COMMITTEE

- 4.1 Membership shall comprise 10 members. This committee has delegated powers within the terms of reference and within the current financial year's budget.
- 4.2 The Committee Chairman will be elected by the Full Council at the Annual Meeting of Council. The Committee shall elect a Vice Chairman at its first meeting of the Council year.
- 4.3 The Committee shall elect a Vice Chairman for each civic year.
- 4.4 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.

- 4.5 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.
- 4.6 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.
- 4.7 The committee shall monitor and maintain the management arrangements of the cemetery, chapel and closed churchyard.
- 4.8 The committee shall monitor and maintain the former allotment site and endeavour to provide adequate allotment provision for the whole community of Sandy.
- 4.9 The committee shall review, monitor and maintain The Pinnacle and The Riddy nature reserve, overseeing relevant management agreements with specialist service providers.
- 4.10 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.
- 4.11 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.
- 4.12 The committee shall consider additional service provision to meet the needs of the Town and to promote the Town of Sandy.
- 4.13 The committee shall formulate a plan and monitor and promote participation in civic events, Town Centre events and annual town events.
- 4.14 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.
- 4.15 The committee shall receive and consider reports from community groups on which elected Councillors sit (or any other community group) and recommend actions to the Town Council arising from the reports.

5. HUMAN RESOURCES COMMITTEE

5.1 Purpose of the Committee

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

5.2 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.

5.3 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.

5.4 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

5.5 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

6. CLERKS MANAGEMENT COMMITTEE

6.1 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.

- 6.2 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.

6.3 Operation

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

6.4 **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

- 7.1 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 (eg conflict of interest, absence) the Town Council will appoint additional members to the committee.
- 7.2 The committee has delegated powers to deal with complaints about administration or procedure by Sandy Town Council.
- 7.3 The Committee reports direct to Town Council and any appeal against its findings will be dealt with by the Town Council.

Working Groups of the Council

8. EVENTS WORKING GROUP

8.1 Functions:

- 8.1.1 To consider applications for use of Council land for one off small events (such as bootcamps and private parties). Consideration of such requests must be in line with relevant policies and procedures, such as the Beeston Green Management plan or lettings policy.
- 8.1.2 To consider and manage any Council involvement or attendance at events within the town which are run by other groups/organisations.
- 8.1.3 To work with the Royal British Legion on the organisation and management of the annual remembrance day parade.
- 8.1.4 To consider and propose one off Council events throughout the year.
- 8.1.5 To organise, set up and manage any such Council events.
- 8.1.6 To consider all aspects relating to planning and hosting of council events, including health and safety requirements.
- 8.1.7 To monitor and review any council events.
- 8.1.8 To consider and request suitable funding for events from the Policy, Finance and Resources Committee during the financial year. Authority to spend up to £500 on council events/event support.
- 8.1.9 To consider any budget requirements for future financial years ahead of the annual precept and feedback to the Policy, Finance and Resources Committee accordingly.
- 8.1.10 To report to the Community Services Environment Committee on its activities.

8.2 Operation

- 8.2.1 The Events Working Group will meet as and when it is required throughout the year.

8.3 Terms of Reference

- 8.3.1 The Events Working Group reports to the Community Services and Environment Committee.
- 8.3.2 Membership shall comprise of up to five Councillors.
- 8.3.3 Membership shall be agreed on an annual basis at the annual meeting of the council held in May.
- 8.3.4 The Events Working Group shall elect its own Chair on an annual basis.

- 8.3.5 The Events Working Group is able to invite persons other than members of the Council to participate in meetings and the organising and running of events on the Council's behalf. (e.g. *Royal British Legion, St Swithun's church*)
- 8.3.6 The Events Working Group shall function and operate in accordance with the Council's approved Standing Orders.
- 8.3.7 Delegated authority is given to the Town Clerk, Chair of the Working Group to take decisions on the arrangements for council events in conjunction with Members on the Working Group.
- 8.3.8 Financial expenditure above £500 for any Council event must be approved by the Policy, Finance and Resources Committee.
- 8.3.9 Where expenditure is less than £500 the Working Group has delegated authority to approve event related expenditure from the Council's Community Event Support budget. All expenditure must be reported to the Policy, Finance and Resources Committee.
- 8.3.10 Meetings of the working group are not usually but may be public meetings.

9. CEMETERY AND COUNCIL DEPOT WORKING GROUP

9.1 Functions

- 9.1.1 To review and recommend revisions or amendments to the Council's burial regulations.
- 9.2.2 To consider and make recommendations on the ongoing management of the existing cemetery.
- 9.2.3 To consider and determine matters surrounding the development of a new cemetery and Council depot, including but not restricted to:
- a. Environmental matters
 - b. Policy matters
 - c. Visual impact matters
 - d. Design matters
 - e. Public consultation matters
 - f. Future operation and management of the new cemetery, cemetery car park, public toilet and council depot building.
- 9.2.4 To work with the Clerk to manage and progress the building and completion of the new cemetery, car park and depot building in line with the tender approved by the Full Council.

9.2 Operation

9.2.1 The Cemetery Working Group will meet as and when it is required throughout the year.

9.3 Terms of Reference

9.3.1 The Cemetery Working Group reports to the Policy, Finance and Resources Committee.

8.3.2 Membership shall comprise of at least five Councillors, with a quorum of three Councillors.

8.3.3 Membership shall be agreed on an annual basis at the annual meeting of the council held in May.

8.3.4 The Cemetery Working Group shall elect its own Chair on an annual basis.

8.3.5 The Cemetery Working Group is able to invite persons other than members of the Council to participate in meetings.

8.3.6 The Cemetery Working Group shall function and operate in accordance with the Council's approved Standing Orders.

8.3.7 The group shall provide reports to the parent body in the following manner:

- a. Reporting on relevant issues
- b. Reporting on suggested improvements to the cemetery
- c. Reporting on development of the new cemetery and depot build
- d. Any other cemetery related matters/projects which may be assigned to the group by the Policy, Finance and Resources Committee.

10. COMMUNITY PLAN WORKING GROUP

10.1 Functions

10.1.1 To develop a new Sandy community plan, with actions and timescales for adoption by Sandy Town Council.

10.1.2 To review the adopted community plan at least once every six months and recommend any required updates and changes to the Community Plan.

10.1.3 To regularly monitor progress on action points within the adopted community plan.

10.1.4 To promote the community plan to partners, stakeholders and the public.

10.2 Operation

10.2.1 The Community Plan Working Group will meet as and when it is required throughout the year.

10.3 Terms of Reference

10.3.1 The Community Plan Working Group reports to the Community Services and Environment Committee.

10.3.2 Membership shall comprise of at least six Councillors, with a quorum of three Councillors.

10.3.3 Membership shall be agreed on an annual basis at the annual meeting of the council held in May.

10.3.4 The Working Group shall elect its own Chair on an annual basis.

10.3.5 The Working Group is able to invite persons other than members of the Council to participate in meetings.

10.3.6 The Working Group shall function and operate in accordance with the Council's approved Standing Orders.

11. Neighbourhood Plan Steering Group

11.1 Background

11.1.1 Sandy Town Council is the qualifying body for the preparation of a Sandy Neighbourhood Development Plan (henceforth referred to as the "NP") for the parish of Sandy.

11.1.2 Sandy Town Council resolved to prepare an NP at the meeting of the Full Council on 28th September 2020, covering the entire area of the parish of Sandy (the "Plan Area").

11.1.3 Sandy Town Council has notified Central Bedfordshire Council its intent to prepare an NP in consultation with:

- The residents of Sandy
- Organisations employing persons within the Plan Area
 - Organisations that enhance Sandy such as BRCC, Greensand Country Landscape Partnership

11.1.4 Sandy Town Council will be the body that formally submits the NP to CBC.

11.1.5. The NP will seek to:

- Provide a framework for future development and land use within the Plan Area

- Set planning policies that accord with adopted policy at the national, county and district level, but which recognise the specific character of Sandy and preserve or enhance the quality of life within the Plan Area

11.1.6 Sandy Town Council has agreed to establish a Steering Group to lead the preparation of the NP.

11.2 Purpose

11.2.1 The Steering Group is a working party of Full Council and will work within the relevant Town Council Standing Orders.

11.2.2 The Steering Group will lead the NP preparation process, including project management and decision making.

11.2.3 The Steering Group will:

- Promote the process of preparing the Neighbourhood Plan and encourage Sandy residents, employers and service providers to participate and provide their views and opinions on the specific topics which are covered during the preparation of the plan.

Report to the Full Council at every meeting on the progress of the NP project and seek to gain input and agreement regularly to ensure that there is understanding and alignment at key decision points in the process.

- Refer all items of expenditure, outside an approved budget, to Full Council.
- Work with and manage any appointed contractors or supporting bodies as agreed by the Town Council
- Prepare a budget for the NP process for each financial year for consideration in the Town Council's annual budget setting.
- Liaise with Central Bedfordshire Council (CBC) as required.
- Hold public, employer and service provider consultation events and analyse the responses received to inform the NP preparation.
- Gather and assess evidence about the needs and aspirations of Sandy.
- Determine the number of topic areas to be addressed in the preparation of the NP.
- Establish, and approve the terms of reference of, working parties for each policy area. The working parties will consult on, consider and develop

policies in that area that are considered appropriate for incorporation in the draft NP.

- Retain oversight of the working parties and ensure that the outputs of individual working parties are in accordance with adopted policy and do not contradict each other. Where an individual policy could reasonably be considered by more than one working party, the Steering Group will coordinate and direct those working parties to ensure co-operation in the consideration of that policy.
- Approve all reports and consultation documents before they are issued.
- Agree, subject to ratification by Full Council, the final submission version of the NP.
- Support Sandy Town Council and CBC during the referendum process.

11.3 Membership

11.3.1 The Steering Group will select its own Chairman.

11.3.2 Members will either be Sandy Town Councillors, residents or people who work in Sandy or representatives of organisations that enhance Sandy as in 12.1.3.

11.3.3 There will be no upper limit on membership of the steering group. Membership will be reported to the Council on an annual basis.

11.3.4 Members are volunteers and may chose to leave during the project. At which time a new Member may be appointed.

11.4 Obligations of the Steering Group Members

11.4.1 Steering Group members shall:

- Work together for the benefit of Sandy.
- Abide by the Localism Act and Sandy Town Council's Code of Conduct.
- Declare any pecuniary or personal interests that may be perceived as being relevant to any decisions or recommendations made by the group, including membership of any organisation, any ownership or interest in land or businesses (directly or indirectly) within the Plan Area or any other matter likely to be relevant to the work undertaken by the Steering Group. Such declarations are to be recorded and made publicly available.
- Ensure that there is no discrimination in the plan making process and that it is a wholly inclusive, open and transparent process.

11.5 Frequency, Timing and Procedure of Meetings

11.5.1 The Steering Group will meet at monthly intervals.

11.5.2 The Steering Group shall keep minutes of meetings which will be open to public scrutiny. These will be published on the Town Council website, once they have been approved by the Steering Group.

11.5.3 Any decisions taken by the Steering Group, other than those delegated to appointed officers, will be carried if the majority (more than 50%) are in favour at any given meeting. The Chairman shall have the casting vote where the vote is equal.

11.5.4 Notices, Agendas, Minutes and associated papers will be emailed to all Steering Group members.

11.5.5 The Steering Group has no limit on members and shall be quorate provided that:

- A quorate (third) of the group are present.
- One of the members present is a member of Sandy Town Council
- The meeting has been properly convened.
- Outside persons, including planning consultants may attend by invitation and participate in Steering Group meetings, but may not vote.
- These Terms of Reference will be reviewed throughout the project and amended as required by the Steering Group or Full Council.

11.6 Tenure

11.6.1 The Steering Group, in its present form, shall continue to operate for three years or until the NP is adopted or rejected in referendum, whichever is the sooner. In the event that the referendum is rejected the Steering Group will continue to meet until such time as the referendum is adopted or a new Steering Group is appointed. At that stage the TC will form appropriate implementation body.

11.7 Application of Terms of Reference

11.7.1 These terms shall apply from the date of this document and retrospectively where relevant to the date of the inception of the Steering Group.

12 RESPONSIBILITIES DELEGATED TO TOWN COUNCIL OFFICERS

12.1 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.

12.2 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.

12.3 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 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.

12.4 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.

12.5 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.

12.6 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.