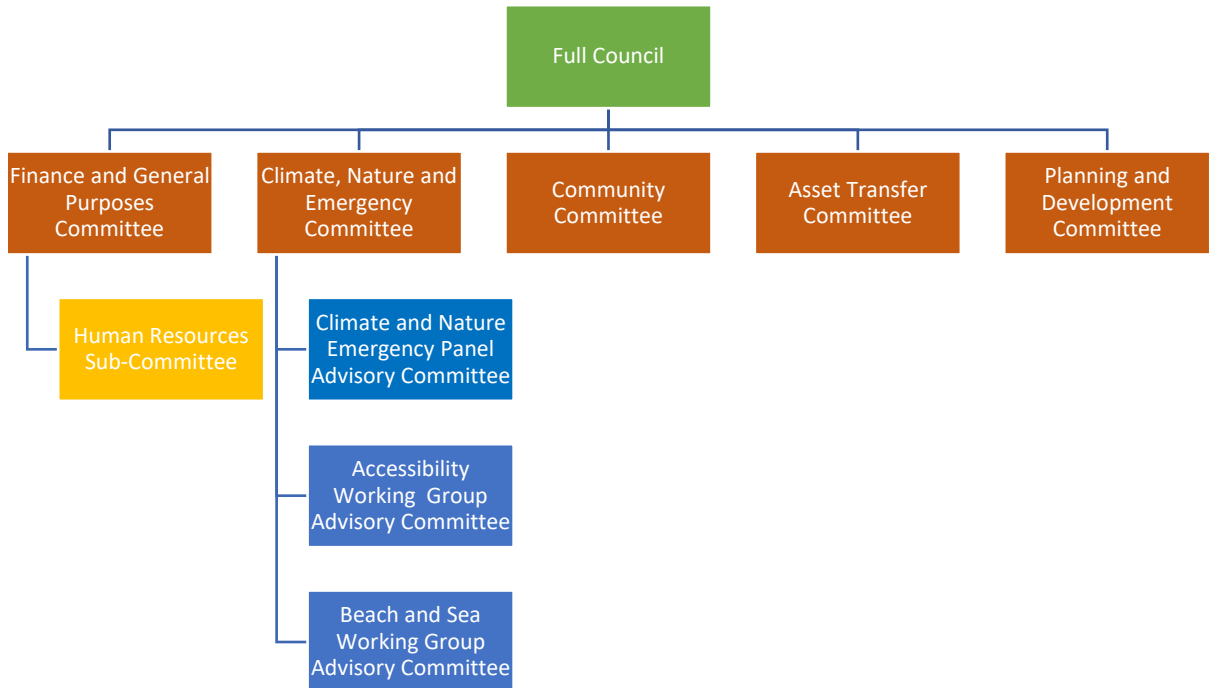


# BEXHILL-ON-SEA TOWN COUNCIL TERMS OF REFERENCE AND SCHEME OF DELEGATION 2022-23



## I. SUMMARY

- a) 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 stated.
- b) In order to maintain a working council on a day-to-day basis, certain officer delegations can also be approved by Council.
- c) Standing Committees will operate within approved Standing Orders, Financial Regulations, other policy documents and procedures and approved budgets in the areas detailed in the following pages. The Council may revoke powers delegated to Standing Committees by resolution.
- d) Only the Council can appoint a clerk, raise a loan, agree the annual precept, sign off the Governance Statement
- e) The Council should retain responsibility for Communications both written (website, press statement, newsletter) and verbal (Members' liaison with parishioners, County and District Councillors)

## 2. OFFICERS

- a) Officers will operate within approved Standing Orders, Financial Regulations, other policy documents and procedures and approved budgets.
- b) Officers will need to be aware that financial delegation can be broken down into three elements:

- i. Revenue expenditure which allows the Council to continue business uninterrupted – delegated to Officers and reported through the monthly management reports.
  - ii. Capital expenditure – which is always decided by Committee or Council.
  - iii. New items, whether they are considered Revenue or Capital – will always be decided by Committee or Council.
- c) Following these simple rules will enable the officers to maintain business continuity but also ensure elected councillors have overall control of major spending decisions.
  - d) To comply with Financial Regulation 4.5 which allows the Clerk to incur expenditure on behalf of the Council up to £1000 plus VAT for any repair, replacement or other work which is of such extreme urgency that it must be done at once.
  - e) To report all such action to the next meeting of the appropriate Committee or Council

### **3. FINANCE AND GENERAL PURPOSES COMMITTEE**

The role of the Finance and General Purposes Committee is to oversee the financial management of the council and human resources matters.

#### **3.1 Membership**

- a) The Finance and General Purposes Committee shall consist of NINE councillors
- b) The Mayor and Deputy Mayor will be ex-officio members with voting rights unless they are HR Sub-Committee members.

#### **3.2 Meetings**

- a) The Committee shall meet monthly, except for August unless there is urgent business as directed by the Chairman.

#### **3.3 Responsibilities**

- a) Develop and recommend policies and procedures for the financial management of the Council.
- b) Promote a culture of safety through risk assessments and ensure compliance with current health and safety procedures.
- c) Oversee the human resources management of the council, reviewing the council's operations in line with employment law and health and safety legislation and good practice.

### **5. Rights and Powers**

- a) Review all risk assessments on an annual basis.
- b) Determine pay and contractual conditions of employment of the Clerk in line with the Green Book and review/update these as necessary to comply with UK Employment Law as well as good practice
- c) Set the expenses policy for both staff and councillors
- d) Set ex-gratia payments, honoraria or exceptional increments.

- e) Form a complaints committee in the case of an unresolved complaint as per the Council's complaints policy.
- f) Carry out an annual review of the Financial Regulations and Standing Orders for recommendation to full council at the AGM in May.
- g) Monitor reserves to ensure that surpluses are not built up other than for working capital or for earmarked projects and known liabilities, ensuring that sufficient reserves are retained for future maintenance, replacement or upgrading of items for which the Council is responsible
- h) Receive and consider annual budgets prepared by each Committee
- i) Prepare an annual budget for the Council and recommend an annual precept
- j) Monitor each Committee's performance against budget and report significant variances to Council with recommendations for appropriate action
- k) Undertake a monthly review and reconciliations of the bank accounts
- l) Monitor purchasing decisions to ensure value for money as agreed in the Financial Regulations
- m) Receive a financial risk assessment from each committee for any new council initiatives and make recommendations for prudent use of public funds
- n) Undertake a financial risk analysis annually and review the Council's insurance arrangements to ensure that property and identified risks are adequately insured
- o) Consider and determine requests for community and other grants within agreed annual budgets
- p) Monitor grant applications and seek external funding where possible to support council functions
- q) Review the staff handbook annually

#### **4.HUMAN RESOURCES SUB-COMMITTEE**

The role of the Human Resources Sub-Committee is to provide line management to the Clerk and Responsible Financial Officer. The HR Sub Committee is a sub-committee of the Finance & General Purposes Committee.

##### **4.1 Membership**

- a) The HR Sub-Committee shall consist of THREE councillors appointed from the Finance and General Purposes Committee.
- b) The Mayor and Deputy Mayor will be ex-officio members with voting rights unless they are HR Sub-Committee members.

##### **4.2 Meetings**

- a) The HR Sub-Committee will arrange meetings as required, and a minimum of quarterly, and shall not be open to the public.

##### **4.3 Responsibilities**

- a) To agree and review a minimum of three and a maximum of five objectives in relation to the strategy of the council
- b) To complete regular appraisals of the clerk's performance at least quarterly.
- c) To ensure that the clerk is supported and has the resources to manage the staff of the council.
- d) To provide regular updates to the Finance & General Purposes Committee on the clerk's progress.

#### **4.4 Rights and Powers**

- a) The HR Sub-Committee will have delegated powers to oversee the clerk's day to day activities and to authorise annual leave.
- b) The HR Sub-Committee will monitor the clerk's absence and carry out health and well-being reviews in relation to absences.
- c) The HR Sub-Committee will review the salary and pay scales of the clerk on a regular basis and make recommendations to the Finance and General Purposes Committee for approval.
- d) The HR Sub-Committee will review training and development requirements for the clerk and make recommendations to the Finance and General Purposes Committee for the provision of any training and continuous professional development.
- e) The HR Sub-Committee is to take responsibility that confidentiality and integrity is maintained over all staffing matters under the Data Protection Act 1998 and the Model Code of Conduct.

#### **5. PLANNING AND DEVELOPMENT ADVISORY COMMITTEE**

The role of the Planning and Development Advisory Committee is to monitor the implications of planning and development within the Council's area and respond to all consultations relating to planning and development.

##### **5.1 Membership**

- a) The Planning and Development Committee shall consist of SEVEN councillors
- b) The Mayor and Deputy Mayor will be ex-officio members with voting rights unless they are HR Sub-Committee members.

##### **5.2 Meetings**

- a) The Committee shall meet twice monthly, except for August unless there is urgent business as directed by the Chairman.

##### **5.3 Responsibilities**

- a) To consider all planning applications submitted by Rother District Council and East Sussex County Council and make representations. To be aware of planning policy and supplementary planning documents when responding to applications.
- b) To review planning and enforcement appeals and submit additional representations if required.
- a) To report planning enforcement matters to the relevant authority.
- b) To comment on licensing applications if appropriate.
- c) To review documents, consultations and other matters regarding planning and make representations as required.
- d) To liaise with Rother District Council and developers to consider the appropriate type of housing including low cost housing schemes.
- e) To encourage the use of environmental initiatives for all development, for example the installation of porous surfacing and energy efficiency measures.

- f) To make recommendations regarding street naming.

#### **5.4 Rights and Powers**

- a) To respond to all planning applications on behalf of the Council
- b) To appoint members to attend external planning committee meetings to speak on the policy of the Council where appropriate.

### **6. CLIMATE, NATURE AND ENVIRONMENT COMMITTEE**

The role of the Climate, Nature and Environment Committee is to monitor the implications of highways, transport and environmental issues within the Council's area and to manage the allotment sites on behalf of the Council.

#### **6.1 Membership**

- a) The Climate, Nature and Environment Committee shall consist of SEVEN councillors
- b) The Mayor and Deputy Mayor will be ex-officio members with voting rights unless they are HR Sub-Committee members.

#### **6.2 Meetings**

- a) The Committee shall meet bi-monthly, except for August unless there is urgent business as directed by the Chairman.

#### **6.3 Responsibilities**

- a) To be responsible for the Council's involvement with all highways, transport and environmental issues and to review and respond to consultations/communications
- b) To consider the appearance of the town and work with others to implement improvements including:
  - i. Street Furniture ([bus]shelters, benches, litter bins/litter collection)
  - ii. Signs
  - iii. Floral arrangements
  - iv. Dog waste bins
  - v. Wooden finger posts (with East Sussex County Council)
  - vi. Footpaths and stiles (with East Sussex County Council)
  - vii. Overhanging trees/hedges
- c) To consider crime prevention measures including liaison with Police
- d) To monitor and promote public transport services and to encourage sustainable transport
- e) To promote health and well-being

#### **6.4 Rights and Powers**

- a) To oversee the operation of five allotment sites which are run by local Allotment Associations and to be responsible for the management of the remaining two town council run sites

- b) To liaise with residents to identify projects that can be funded by Community Infrastructure Levy (CIL).
- c) To monitor the Environment Budget (including CIL)
- d) To address matters that affect climate and nature in the town
- e) To be responsible for the verges, should the council adopt this function in the future
- f) To be responsible for the Neighbourhood Plan

## **7. CLIMATE AND NATURE EMERGENCY PANEL (ADVISORY COMMITTEE)**

The role of the Climate and Nature Panel is to hold a number of sessions (dates and venues to be decided by the panel in conjunction with the town clerk) for members to learn about the climate and nature challenges we face, to research and debate local possible solutions and to form and present a list of priorities and recommendations to Full Council.

### **7.1 Membership**

- a) The Panel shall consist of THREE councillor members appointed by the Climate, Nature and Environment Committee and an unlimited number of non-councillor members (any local community organisations, residents and businesses should be invited to join)

### **7.2 Meetings**

- a) The Panel will arrange meetings as required, and shall not be open to the public.

### **7.3 Responsibilities**

- a) The Panel shall take full account of the climate and nature experts advice, as appointed by the CNE Committee.
- b) The Panel will produce notes for each meeting, of which are to be circulated to all Panel members and progress updates are to be provided to the CNE Committee regularly.

### **7.4 Rights and Powers**

- a) This panel is unable to make council decisions however is able to make full representation to each relevant committee/full council in line with the council Standing orders.

## **8. ACCESSIBILITY WORKING GROUP (ADVISORY COMMITTEE)**

The role of the Accessibility Working Group is to research the issues that are affecting the accessibility in the whole of Bexhill

### **8.1 Membership**

- a) The Panel shall consist of THREE councillor members appointed by the CNE Committee and an unlimited number of non-councillor members (any local community organisations, residents and businesses should be invited to join)

## **8.2 Meetings**

- a) The group will arrange meetings as required, and shall not be open to the public.

## **8.3 Responsibilities**

- a) The group will take into account all accessibility issues including hearing, visual, dementia, frailty and 'hidden' disabilities.
- b) The group will carry out an audit of current provisions in place for accessibility.
- c) The group will present a set of recommendations to the CNE Committee to inform the five year strategic plan of the council set out in electoral ward categories.
- d) The Panel will produce notes for each meeting, of which are to be circulated to all Panel members and progress updates are to be provided to the CNE Committee regularly.

## **8.4 Rights and Powers**

- a) This panel is unable to make council decisions however is able to make full representation to each relevant committee/full council in line with the council Standing orders.

## **9. BEACH AND SEA WORKING GROUP (ADVISORY COMMITTEE)**

The role of the Beach and Sea Working Group is to research existing and future issues that affect the quality of the beaches and bathing in Bexhill-on-Sea.

### **9.1 Membership**

- a) The Working Group shall consist of THREE Councillor members appointed by the CNE Committee and an unlimited number of non-councillor members with an interest in beach and bathing quality.

### **9.3 Meetings**

- a) The group will arrange meetings as required, and shall not be open to the public.

### **9.4 Responsibilities**

- a) The Working Group shall present a list of recommendations to Climate, Nature and Environment Committee of actions that can be taken to improve the quality of the coastal environment.
- b) The Working Group will produce notes for each meeting, of which are to be circulated to all Working Group members and progress updates are to be provided to the CNE Committee regularly.

### **9.5 Rights and Powers**

- a) This panel is unable to make council decisions however is able to make full representation to each relevant committee/full council in line with the council Standing orders.

## **10. ASSET TRANSFER COMMITTEE**

The role of the Asset Transfer Committee is to oversee the devolution of services from Rother District Council.

### **10.1 Membership**

- a) The committee shall be made up of the Chairman of the Council; Planning Committee; Community Committee; Climate, Nature and Environment Committee and Finance and General Purposes Committee.
- b) The Vice chairman will attend in the place of the chairman if the chairman is attending the same meeting in another role.

### **10.2 Meetings**

- a) The Committee shall meet monthly, except for August unless there is urgent business as directed by the Chairman.

### **10.3 Responsibilities**

- a) The committee shall give strategic direction and recommend policy to full council on the transfer of assets from Rother District Council.
- b) The committee shall report to the council the impact of asset transfers on the precept.
- c) Capital and maintenance costs for each asset shall be researched and reported to full council with a recommendation for adoption of assets and services accompanied with a detailed budget.
- d) The committee shall oversee the programme of asset transfer as each transfer is approved by full council.
- e) The committee shall oversee the budget of the asset transfer programme.
- f) The committee shall consider the human resources impacts of the asset transfers and make recommendations to the Finance and General Purposes Committee for future staffing requirements/TUPE.
- g) The committee shall produce press releases, when appropriate, to update residents on the assets being transferred and the value being added by the town council.

### **10.4 Rights and Powers**

- a) The committee shall have no rights and powers and shall report all recommendation back to Full Council

## **11. COMMUNITY COMMITTEE**

The role of the Community Committee is to oversees the strategy and communication of the Council.



## **11.1 Membership**

- a) The Planning and Development Committee shall consist of NINE councillors
- b) The Mayor and Deputy Mayor will be ex-officio members with voting rights unless they are members of the Community Committee

## **11.2 Meetings**

- a) The Committee shall meet bi-monthly, except for August unless there is urgent business as directed by the Chairman.

## **11.3 Responsibilities**

- a) To carry out public consultation exercises to inform the strategy and policy of the council, using methods accessible to all residents and local businesses, ensuring whole community engagement.

## **11.4 Rights and Powers**

- a) To develop a five year vision and strategic framework to encompass short-, medium- and long-term projects for recommendation to full council.
- b) To monitor and review the approved vision and strategic framework, recommending any remedial actions to full council.
- c) To be responsible for the Council's involvement consulting with young persons.
- d) To monitor and develop the communications of the council including, but not limited to:
  - i. Website
  - ii. Social media platforms
  - iii. Noticeboards
  - iv. Newsletter
- e) To consider the town council's involvement in local events in order to promote the work of the council and strengthen pride in the town.
- f) To oversee and develop civic events such as Mayor Making, Freeman/Freewoman awards, Remembrance Day.
- g) To work in conjunction with the Mayors Office to utilise the office of Mayor for the benefit of Bexhill-on-Sea Town Council as a whole and to receive reports from the Mayor on any forthcoming functions they are due to attend.

## **12. PREMISES WORKING GROUP (ADVISORY COMMITTEE)**

The role of the Premises Working Group is to research and identify a suitable premises for the town council to operate from.

### **12.1 Membership**

- a) The Working Group shall consist of ELEVEN Councillor members appointed by the Full Council.

## **12.2 Meetings**

- a) The group will arrange meetings as required, and shall not be open to the public.

## **12.3 Responsibilities**

- a) The Working Group shall research suitable premises for the town council's offices and report back to full council with recommendations.

## **12.4 Rights and Powers**

- a) This group is unable to make council decisions.