



# Ross-on-Wye Town Council

## Terms of Reference & Scheme of Delegation



1. All Committees are delegated with the powers and duties shown below (item 3) subject only to the following exceptions.
  - (a) Standing Orders
  - (b) Any special or general directions which the Town Council may give from time to time
  - (c) The matters specifically reserved for determination by Full Council as listed below (item 2)
  - (d) Any relevant statutory provisions
  
2. The following matters shall be determined by the Full Council. Any recommendations from any committees on any of the following matters shall be accompanied by the comments of the Finance and Personnel Committee.
  - (a) The annual budget of all committees and the precepts on the County Council
  - (b) Schemes involving capital expenditure, outside that which has already been approved in the annual budget. When a scheme has been approved and the estimated cost agreed by the Full Council the appropriate committee may proceed with it subject to any tender accepted not exceeding the approved estimate
  - (c) The disposal of any freehold land (other than minor adjustments of boundaries)
  - (d) The granting or taking of a Leasehold interest in any land for a term exceeding twenty years
  - (e) The appointment of committees and representatives on outside bodies
  - (f) The appointment of a Town Clerk
  - (g) The adoption and signing of the Annual Accounts for external audit.
  - (h) The making of byelaws
  - (i) Any matter of major policy or of sufficient interest or novelty that members would wish that it be debated by Full Council
  - (j) Expenditure from the Council's reserve accounts

3. The following powers and duties are delegated to the committee shown subject to the conditions and exceptions referred to in items 1 and 2 above.

Each standing committee will consist of five Members appointed at the Annual meeting of the Council with the exceptions of the Amenities Committee and the Policy and Management Committee that will each have six appointed Members.

Substitute Members will be asked to attend committee meetings when an appointed Member is unable to attend. The appointed Member will make his/her own arrangements with the substitute. The substitute Member will have full voting rights. The role of the substitute member is to replace the ordinary member at a meeting of a committee if the ordinary member of the committee confirms to the Proper Officer before the meeting that they are unable to attend.

The Chairman and Deputy Chairman of the Council will have ex-officio status, shall be full voting members of every committee, sub-committee, advisory committee and working task groups and will form part of the quorum.

(i) **Finance and Personnel Committee**

- (a) Authority for expenditure within the limits of its budget headings without further recourse to the Council
- (b) To review finance and personnel policies and make revisions where appropriate
- (c) To review internal audit reports and recommendations and consider appropriate control measures for monitoring risk
- (d) Control the Town Council's finances, to review and monitor the expenditure and income budgets from time to time
- (e) To review the Council's investments and earmarked reserves and consider appropriate policies for managing its general reserves
- (f) To review arrangements for the provision of the Council's insurance
- (g) To vire amounts between budget headings
- (h) To oversee the budget setting process and recommend the precept level for consideration to Full Council
- (i) To oversee arrangements for Civic events and regalia
- (j) To determine all personnel matters, (except any that may be delegated to any other Sub Committee, Working Group or Panel) and with the exception of the appointment of Town Clerk, subject only to any personnel matters delegated to the Town Clerk
- (k) To carry out the Town Clerk's appraisal
- (l) To oversee the recruitment and appointment of staff

- (m) Authority to dismiss staff failing to satisfactorily complete a probation period
- (n) To settle disciplinary matters in accordance with the agreed Disciplinary Procedures as set out in the Employee Handbook
- (o) To authorise, if necessary, an independent professional to conduct any investigations as a result of a grievance or appeal
- (p) To appoint, if necessary, a suitably qualified professional to investigate and conduct the investigations and/or hearing in the event that disciplinary action needs to be taken against the senior officer (Town Clerk)
- (q) To authorise commencement of any action or appeal before an industrial tribunal or in any court
- (r) To report observations for information and recommend resolutions for approval following a meeting of the committee in the form of a verbal report from the committee chairman at the meeting of the Full Council if appropriate

**(ii) Personnel Appeals Panel**

- a) Receive any grievances (outside those arrangements already contained within the Employees' Handbook)

**(iii) Policy and Management Committee**

- (a) Authority for expenditure within the limits of its budget headings without further recourse to the Council
- (b) To review policies relating to the committee and make revisions where appropriate
- (c) To vire amounts between budget headings
- (d) To monitor management, repair and maintenance of the Council's buildings and contents including use by outside organisations or individuals
- (e) To monitor the content of the website and newsletter and approve the Annual Report
- (f) To establish the Council's policy on emergency planning and ensure appropriate contingency arrangements are made
- (g) To report observations for information and recommend resolutions for approval following a meeting of the committee in the form of a verbal report from the committee chairman at the meeting of the Full Council if appropriate

(iv) **Amenities Committee**

- (a) Authority for expenditure within the limits of its budget headings without further recourse to the Council
- (b) To review policies relating to the committee and make revisions where appropriate
- (c) To vire amounts between budget headings
- (d) All matters relating to the management of the cemetery and setting of fees
- (e) Management of all Town Council recreational open spaces and leisure facilities
- (f) Town Centre Streetscene development, including provision, siting and maintenance of bins and benches
- (g) Policy for management and maintenance of closed churchyard
- (h) To report observations for information and recommend resolutions for approval following a meeting of the committee in the form of a verbal report from the committee chairman at the meeting of the Full Council if appropriate

(v) **Community, Markets and Tourism Committee**

- (a) Authority for expenditure within the limits of its budget headings without further recourse to the Council
- (b) To review policies relating to the committee and make revisions where appropriate
- (c) To vire amounts between budget headings
- (d) To determine all applications for grants (except any that may be delegated to any other Committee) subject to all applications being considered on their merits
- (e) To be responsible for all aspects of managing, promoting and developing the markets , review and set the fees periodically
- (f) To promote opportunities for community engagement and increased involvement with local organisations
- (g) To develop positive communication and work closely with tourism providers
- (h) To work in partnership with others to help facilitate community events
- (e) To report observations for information and recommend resolutions for approval following a meeting of the committee in the form of a verbal report from the committee chairman at the meeting of the Full Council if appropriate

(vii) **Planning and Development Committee**

- (a) To make recommendations on all planning applications and planning consultations
- (b) To consider issues relating to land use and development and planning matters affecting Ross on Wye
- (c) To review planning policies and make revisions where appropriate
- (d) Authority to make recommendations on all licensing matters
- (e) Street Naming and House Numbering
- (f) Traffic Regulation Orders
- (g) Street Lighting, Signage and Highway Matters
- (h) Parking and Traffic Matters
- (i) Tree Works
- (j) To report observations for information and recommend resolutions for approval following a meeting of the committee in the form of a verbal report from the committee chairman at the meeting of the Full Council if appropriate

**Neighbourhood Planning Sub Committee**

- (a) Neighbourhood Plan Consultation
- (b) Neighbourhood Plan Preparation
- (c) Neighbourhood Plan Delivery
- (d) Neighbourhood Plan Implementation
- (e) To report observations for information and recommend resolutions for approval following a meeting of the committee in the form of a verbal report from the committee chairman at the meeting of the Full Council if appropriate

4. The following matters are delegated to the Town Clerk subject to the conditions and exceptions referred to in items 1 and 2 above.
- (a) General control and discipline of Town Council employees in accordance with the Employee Handbook.
  - (b) Appointment of staff to attend courses and conferences.
  - (c) Discretion to agree up to five days special leave with pay in any one year for compassionate or other grounds i.e. bereavement, family illness, (compassionate leave in excess of five days up to ten days is subject to approval of the Mayor and the Chairman of Finance and Personnel Committee).
  - (d) (i) Use of Mayor's Parlour and Council Chamber and related facilities by outside organisations or groups associated with public service (excluding any political organisation) for meetings only, subject to any use being restricted to Town Council Office hours and to such use being also restricted to local or identifiable organisations.  
  
(ii) Use of the Mayor's Parlour and Town Hall free of charge for meetings of groups of Town Councillors, provided that such meetings are directly related to Town Council business.
  - (e) Town Clerk granted reasonable discretion to refuse to accept items for inclusion through the Council's internal post where they are:
    - (i) Political, or
    - (ii) Deal with opposing or supporting decisions on items not directly the concern of the Town Council and/or where the Town Council has not reached a view.
  - (f) Where it is impracticable to refer a Planning Application to the Planning and Sustainable Development Committee due to the schedule of meetings, The Town Clerk is authorised to respond on behalf of the Town Council following consultation with the relevant Ward Members and the Chair of the Committee
  - (g) Where it is impracticable to refer a request for street naming to the Planning and Sustainable Development Committee, The Town Clerk is authorised to respond on behalf of the Town Council following consultation with the relevant Ward Members and the Chair of the Committee
  - (h) Arrange insurance cover for community events that are partnering with the Town Council under the Council's insurance policy providing any additional premium does not exceed a limit of £250.00
  - (i) Authority, in conjunction with the Committee Chair, to approve an event that complies with the Council's Terms and Conditions of Hire of its Open Spaces.



5. **Urgent Business**

Unless otherwise provided, the Town Clerk shall, from time to time, after consulting the Chairman of the Committee concerned (or, in his/her absence, the Deputy Chairman of the relevant Committee); the Mayor (or, in his/her absence, the Deputy Mayor) and where appropriate the Ward Member, take all necessary steps for protecting the interests of, or advancing the business of the Town Council, providing that action taken shall in all cases be reported to the next appropriate meeting of the Full Council.

6. **Policy**

- (a) No member shall attend a meeting of another local authority or body as a representative of the Town Council unless he/she has been formally appointed by the Town Council as its representative.
- (b) Any member appointed by the Town Council to attend a meeting of another authority or body shall only represent the views of the Town Council at that meeting unless he/she makes it clear that the views expressed are his/her own and not necessarily representative of the Town Council
- (c) Attendance records of members be produced on an annual basis for submission to the Annual Town Council meeting
- (d) Where appropriate, reports to Committees and Town Council should include a Town Clerk's recommendation.
- (e) All reports to Committees or Town Council to indicate the financial implications of the items and if there were no financial implications that should also be stated.
- (f) A budget update report be submitted to the Full Council at each meeting
- (g) The Town Council act as consultees for planning matters. County Councillors who sit on this Committee reserve the right to amend their views, and decisions, when applications are discussed at County level.
- (h) Members appointed to the Personnel Sub Committee are required to undertake specific training relating to the Council's obligations as an employer in order to carry out their duties effectively.

**Amendments and revisions**

Full Council 17/04#69

Revise number of committee members and arrangements for substitutes

Full Council 18/03#57

Revise committee structure to reflect decision re minute 18/02#27

Insert new clause 2 (j) regarding authority to spend from reserve accounts