

THRAPSTON TOWN COUNCIL

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THRAPSTON TOWN COUNCIL

TERMS OF REFERENCE

Reviewed and Approved
May 2024

FULL TOWN COUNCIL

The Council is a corporate body, a legal entity, separate from that of its members. Its decisions are the responsibility of the whole body. The Council has been granted powers by Parliament including the important authority to raise money through taxation (the precept) and a range of powers to spend public money. It is responsible for decision making on the raising of the precept and for the strategic decisions affecting the community and inhabitants of Thrapston. The Council will adopt Standing Orders which are the written rules of the Council and are essential to regulate the proceedings of meetings. The Council will adopt Financial Regulations which regulate and control the financial affairs and accounting procedures of the Council. The Council can delegate powers to its Committees and Officer(s).

The Council will appoint 4 members to be bank signatories for the purpose of counter-signing cheques and authorising online BACS payments. The Council will appoint 2 verification councillors who will be responsible for carrying out internal checks on behalf of the Council to ensure that its financial management is adequate and effective. The verification councillors will not be the Mayor or Deputy Mayor and will not be a bank signatory.

The Council will meet monthly, on the third Tuesday of every month. All meetings are open to members of the public and press, but they will be excluded from any business of a confidential nature. The Council can agree to spend any amount agreed in the annual budget.

Consists of: All 13 Councillors

Chairman: Town Mayor

Quorum: One-third (rounded up), 5.

Terms of Reference:

- ❖ To appoint a Clerk and Responsible Financial Officer to undertake the affairs of the Council.
- ❖ To appoint Committees.
- ❖ To receive reports and determine any items passed from those Committees.
- ❖ To adopt Standing Orders.
- ❖ To adopt Financial Regulations.
- ❖ To agree the annual budget.
- ❖ To agree the annual return.
- ❖ To set the Precept.
- ❖ To review and adopt Policies and Procedures.
- ❖ To determine the Town Awards.
- ❖ To consider, debate and award contracts and tenders.
- ❖ To consider, debate and determine grant applications.
- ❖ To determine projects that are to the benefit of the whole town.
- ❖ To review the Council's Strategic Plan.
- ❖ To deal with any matters within the remit of the Town Council.

At its monthly meetings Full Council will receive financial reports from the RFO for review together with a list of payments for authorising. Council will:

- ❖ Consider and annually review insurance, banking and miscellaneous financial arrangements of the Council.
- ❖ Undertake regular budget reviews and examination of the accounts.
- ❖ Consider the appropriateness of incurring expenditure on new initiatives and strategies.
- ❖ Review the Council's Financial Regulations, Risk Management Scheme and Asset Register.
- ❖ Monitor all aspects of the Council's performance not otherwise monitored by any other committee.

Thrapston Town Council is a statutory consultee for planning applications and other consultations. Council will:

- ❖ Receive, consider and respond on all planning applications received from North Northamptonshire Council and respond on behalf of the Council.
- ❖ Receive, consider and respond on all matters relating to Listed Building Consents, buildings of special interest, historic buildings and buildings in the conservation area, local development framework, Tree Preservation Orders, street naming and numbering.
- ❖ Receive, consider and respond to all relevant consultation documents relating to planning and associated matters and development, including county structure plans, district plans and any others of a similar nature.
- ❖ Identify, comment upon, and refer to the relevant authorities any matters considered to be in breach of planning permission.
- ❖ Appoint representatives to attend Planning Authority meetings and authorise them to speak on behalf of the Town Council.
- ❖ Appoint representatives to attend Planning Enquiries and authorise them to speak on behalf of the Town Council.
- ❖ Receive, consider and respond to other consultations, including Licensing, Boundary Reviews etc. on behalf of the Council.
- ❖ Continue effective liaison with all major property developers and residents, assist in the negotiation of Section 106 Agreements, contribute to infrastructure requirements and act as an informed body on planning matters to other committees and working parties.
- ❖ Contribute to all communication with residents in connection with planning matters.

At its monthly meetings Full Council will note the Minutes of Committee and Working Party Meetings.

At its monthly meetings Full Council will note reports received from those appointed to serve on external bodies.

~ End ~

PERSONNEL COMMITTEE

The purpose of the Committee is to debate issues and make recommendations, where required, to Full Council or the Finance & General Purposes Committee on matters relating to employment and personnel.

The Committee will meet quarterly on the second Tuesday of the month. Additional meetings may be called as and when required. Meetings of the Personnel Committee are open to members of the public and press, but they will be excluded from any business of a confidential nature.

Membership: The Personnel Committee will comprise of 6 members plus the Mayor (ex-officio with voting rights). The Mayor may be substituted by the Deputy Mayor. Members will be elected by the Council. The Chairman and Deputy Chairman of the Committee will be elected annually.

Quorum: One half of membership (rounded up), 4.

Terms of Reference:

- ❖ To deal with all matters relating to the recruitment of staff, from advertising of the role to appointment of the successful candidate.
- ❖ To oversee the appraisal process.
- ❖ To review job descriptions and contracts as required.
- ❖ To annually review staff salaries for recommendation within the annual budget.
- ❖ Responsibility for staff training and professional development.
- ❖ To monitor and review Health & Safety regulations, policy and procedures and personnel policies of the Council.
- ❖ To investigate, make proposals, consult with staff and determine outcome in relation to council staff structure.
- ❖ To promote compliance and good practice in relation to employment legislation and relevant local government policies in relation to employment matters.
- ❖ Convene and undertake investigatory committees to examine disciplinary, grievance or capability matters, reporting outcomes to Council.
- ❖ To organise hearings in connection with capability and/or grievance and/or disciplinary and/or retirement issues.
- ❖ To review and agree a matrix system showing which Members of the Town Council would be able to sit on staffing appeal panels should the need arise.
- ❖ To deal with other staffing matters as they arise.

Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and/or Deputy Chairman of the Committee in conjunction with the Town Clerk (or in his/her absence the Assistant Clerk) and at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

All Members are free to attend Personnel Committee meetings with the proviso that the Chairman and/or the Deputy Chairman have the power to revoke this in relation to Part 2 items if any item to be discussed is personal to a member of staff.

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FINANCE & GENERAL PURPOSES COMMITTEE

The purpose of the Committee is to regulate and control the Council's finances and formulate recommendations to Full Council. This Committee will also debate issues with regards to the assets held by the Council, regularly reviewing its maintenance and management programme and making recommendations to Full Council for the disposal or purchase of any assets. This Committee will also consider devolved services and will prepare 3-5 year forecasts on finances and assets.

The Committee will meet quarterly on the second Tuesday of the month. Additional meetings may be called as and when required. Meetings of the Finance & General Purposes Committee are open to members of the public and press, but they will be excluded from any business of a confidential nature.

The Committee has delegated authority to spend within its allocated budget. This will include making decisions on budgeted finance and recommend to Council any proposals which are outside the approved budget and require either grant aiding or the use of financial reserves.

Membership: The Finance & General Purposes Committee will comprise of 6 members plus the Mayor (ex-officio with voting rights). The Mayor may be substituted by the Deputy Mayor. Members will be elected by the Council. The Chairman and Deputy Chairman of the Committee will be elected annually.

Quorum: One half of membership (rounded up), 4.

Terms of Reference:

- ❖ To undertake quarterly budget reviews and examination of the accounts.
- ❖ To receive and consider budget requests from the Personnel Committee and the Events & PR Committee for approval by Full Council within the annual budget.
- ❖ To review and prepare annual expenditure plans for the Council and make recommendations for the setting of the Council precept.
- ❖ To review and make recommendations to Full Council on annual fees and charges.
- ❖ To monitor internal and external audit reviews and make recommendations to Full Council accordingly.
- ❖ To consider and report to Full Council on any matters raised by the internal and/or external auditor, and to review the effectiveness of the Council's internal controls.
- ❖ To investigate on behalf of Full Council any financial or administrative matter which may put the Town Council at risk.
- ❖ To identify funding streams available and administer grant funding applications where appropriate.
- ❖ To receive and consider issues arising from the facilities team's inspections and to manage a programme of repairs and maintenance for all Council owned assets held by the Town Council.
- ❖ To consider and agree applications for the letting of Council property.
- ❖ To arrange leases, rents and reviews for recommendation to Full Council.
- ❖ To explore opportunities to increase the portfolio of assets held by the Town Council and make recommendations to Full Council regarding the procurement of such potential assets.

- ❖ To identify the need to dispose of any assets held by the Town Council and make recommendations to Full Council regarding the disposal of any such assets.
- ❖ To consider and debate all devolved services, determine if such services would benefit the community and whether the Council has the manpower to deliver such services. Make recommendations to Full Council if it is deemed that such services should be taken on.

The Committee is authorised to establish sub-committees and working groups, and to appoint advisers as and when necessary to assist with its work.

Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and/or the Deputy Chairman of the Committee in conjunction with the Town Clerk (or in his/her absence the Assistant Clerk) and at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

~ End ~

EVENTS & PUBLIC RELATIONS (PR) COMMITTEE

The purpose of the Committee is to debate issues, determine decisions and report back to Council in respect of an annual programme of events, to manage a programme of community engagement and to oversee the finances allocated to the Committee for which it has delegated powers to spend within the budget.

The Committee will meet quarterly on the second Tuesday of the month. Additional meetings may be called as and when required. Meetings of the Events & PR Committee will be open to members of the public.

Membership: The Events & PR Committee will comprise of 6 members plus the Mayor (ex-officio with voting rights). The Mayor may be substituted by the Deputy Mayor. Members will be elected by the Council. The Chairman and Deputy Chairman of the Committee will be elected annually.

Quorum: One half of membership (rounded up), 4.

Terms of Reference:

- ❖ To determine whether to invite non-Council members to sit on the Committee.
- ❖ To organise a suitable programme of annual events additional to the Christmas lights switch on and Remembrance Service and report to Council.
- ❖ To ensure a budget for the next year is provided to the Finance & General Purposes Committee by the October of every year.
- ❖ To manage the programme of events and ensure they are delivered within the committee's budget and available staff resources.
- ❖ To manage a list of stock/equipment owned by the Town Council for events (including a stock list for Christmas lights).
- ❖ In conjunction with the Mayor to manage the fundraising events that the Mayor may wish to put on during their mayoral year, to include a maximum of one end of year event, a Civic Service event and one other Mayoral event. Any additional events must be approved in advance with the Town Clerk (or in his/her absence the Assistant Clerk).
- ❖ To publicise and promote all Town Council events.
- ❖ To seek sponsorship for Town Council events.
- ❖ To establish and maintain a programme of community engagement and to link members with community groups and bodies for the purpose of engagement.
- ❖ To prepare and manage community consultations, receive and summarise responses received and report to Council.
- ❖ To manage the Communication Strategy of the Council with external bodies and residents.
- ❖ To identify funding streams available and administer grant fund applications where appropriate.

The Committee is authorised to establish sub-committees and working groups, and to appoint advisers as and when necessary to assist with its work.

Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee in conjunction with the Town Clerk (or in his/her absence the Assistant Clerk) and at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

~ End ~

ACQUISITIONS COMMITTEE

The purpose of the Committee is to deal with the new acquisitions of land and/or buildings as agreed by and as directed by Full Council. This Committee will review survey reports and relevant documentation, legal papers including contracts, leases, heads of terms etc. and any land registry documents. The Committee will draft business cases, respond to legal correspondence and suggest amendments to any legal documentation as directed by Full Council. The Committee will also review land and/or buildings held as an Asset of Community Value.

The Committee will meet as required. Meetings of the Acquisitions Committee are open to members of the public and press, but they will be excluded from any business of a confidential nature.

The Committee has delegated authority to spend within its allocated budget. This will include making decisions on budgeted finance and recommend to Council any proposals which are outside the approved budget and require either grant aiding or the use of financial reserves.

Membership: The Acquisitions Committee will comprise of 6 members plus the Mayor (ex-officio with voting rights). The Mayor may be substituted by the Deputy Mayor. Members will be elected by the Council. The Chairman and Deputy Chairman of the Committee will be elected annually.

Quorum: One half of membership (rounded up), 3.

Terms of Reference:

- ❖ To carry out the administration of new acquisitions on behalf of the Council.
- ❖ To commission and review surveys, valuations and documents to ensure the land and/or building is fit for the purpose directed by Full Council prior to acquisition.
- ❖ To instruct legal representation and review legal documentation to ensure the Council's position is reflected properly.
- ❖ To draft business cases and other such documents and respond to legal correspondence as required.
- ❖ To liaise with architects and other third parties as needed and consider development options relating to any land and/or building.
- ❖ To make applications for funding where required.
- ❖ To make applications to the Public Works Loan Board as required.
- ❖ To consult with the community where necessary.
- ❖ To prepare press releases as required.
- ❖ To keep Full Council informed of progress at all times, taking any further direction into account.
- ❖ To make recommendations to Full Council as appropriate.

Matters of an urgent nature requiring settlement before the next meeting of the Committee may be

dealt with by the Chairman and/or the Deputy Chairman of the Committee in conjunction with the Town Clerk (or in his/her absence the Assistant Clerk) and at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

❖ ~ End ~

DISCIPLINARY & GRIEVANCE SUB-COMMITTEE

The purpose of the Sub-Committee is to hear cases and deal with complaints in accordance with the Council's Policies.

Membership: The Disciplinary & Grievance Sub-Committee will comprise of 4 members plus the Mayor (ex-officio with voting rights). The Mayor may be substituted by the Deputy Mayor. Members will be elected by the Council but will comprise one half of the Personnel Committee plus one additional member. Members of the Disciplinary & Grievance Sub-Committee must not be members of the Appeals Sub-Committee.

The Chairman and Deputy Chairman of the Sub-Committee will be elected annually.

Quorum: One half of membership (rounded up), 3.

Terms of Reference:

- ❖ To hear cases and make decisions in accordance with Council Disciplinary & Grievance Procedure and/or Anti-Harassment & Bullying Policy.
- ❖ To deal with complaints received under the Council's complaint's procedure.

❖ ~ End ~

APPEALS SUB-COMMITTEE

The purpose of the Sub-Committee is to hear appealed cases in accordance with the Council's Policies.

Membership: The Appeals Sub-Committee will comprise of 4 members plus the Mayor (ex-officio with voting rights). The Mayor may be substituted by the Deputy Mayor. Members will be elected by the Council but will comprise one half of the Personnel Committee plus one additional member. Members of the Appeals Sub-Committee must not be members of the Disciplinary & Grievance Sub-Committee.

The Chairman and Deputy Chairman of the Sub-Committee will be elected annually.

Quorum: One half of membership (rounded up), 3.

Terms of Reference:

- ❖ To hear appeals and make decisions in accordance with Council's Disciplinary & Grievance Procedure and/or Anti-Harassment & Bullying Policy.
- ❖ To consider appeals against refusal notices under the Freedom of Information Act.
- ❖ To consider appeals against a decision made under the Council's complaints procedure.

❖ ~ End ~

SCHEME OF DELEGATION

MATTERS RESERVED FOR DECISION BY THE COUNCIL

The undermentioned matters shall be reserved for decision by the Council itself:

- (a) All matters for which the approval of the Council itself is required by statute;
- (b) The appointment of Standing or Special Committees and of other ad hoc bodies, excluding Sub-Committees, which shall be a matter for decision by the Standing Committees themselves;
- (c) The promotion of or opposition to legislation including byelaws;
- (d) The making, alteration or revocation of Standing Orders and the waiver or modification thereof;
- (e) The giving of evidence before Commissions, Inquiries and similar bodies and the formal expression of views on the reports of such bodies;
- (f) The appointment or dismissal of the Clerk to the Council;
- (g) All major policy matters.

POWERS DELEGATED TO ALL STANDING COMMITTEES

All Committees may take decisions in the Council's name, provided that:

- (a) Such decisions are within the Council's powers and are not matters specifically reserved for the Council itself;
- (b) Such decisions are within their terms of reference, do not fall within the terms of reference of any other Council body, are in accordance with Standing Orders and do not conflict with the overall policy direction of the Council;
- (c) A Committee may incur expenditure on behalf of the Council in accordance with the Financial Regulations and approved budget;
- (d) There is no conflict with a decision of another Council body. In cases where there is conflict the matter shall be referred for consideration by the Council for determination.
- (e) Given that no other provision is made within Standing Orders, all Standing Committees shall elect, annually, a Chairman and Deputy Chairman.

ACTIONS DELEGATED TO THE TOWN CLERK (AND IN HIS/HER ABSENCE THE DEPUTY CLERK)

The Clerk is authorised:-

- (a) To sign on behalf of the Council any document necessary to give effect to any decision of the Council or Committee;
- (b) To take proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council;
- (c) To institute and appear in any legal proceedings authorised by the Council;
- (d) To appear or make representation to any tribunal or public inquiry into any matter which the Council has an interest;
- (e) To alter the date or time of a committee meeting, but before doing so shall consult the Chairman of the committee concerned about the need for the change and about alternative dates and times;
- (f) To decide arrangement for the closure of the Council offices during the Christmas and New Year period, subject to consultation with the Chairman.
- (g) The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000. The Clerk shall report the action to the Council as soon as practicable thereafter;
- (h) To incur expenditure for the maintenance, replacement or repair of existing plant, buildings, land or equipment or for the day to day running of the office in accordance with the Financial Regulations and subject to it not exceeding the budget set;
- (i) To incur expenditure for the management of events and other PR related matters in accordance with the Financial Regulations and subject to it not exceeding the budget set;
- (j) To act as line manager to all the Council's staff in accordance with the Council's policies, procedures and budget, including:
 - a) The paying of employees their salaries and wages at the rates agreed by the Council;
 - b) The control of staff performance, staff appraisals, discipline and performance;
 - c) Payment of expenses and allowances in accordance with the Council's scheme;

- (k) To recruit staff as required and as agreed with the Council;
- (l) To arrange staff and councillor training when required subject to the budget being available and to report accordingly to the Personnel Committee at its next meeting.
- (m) To determine if a tree is dangerous on the grounds of H&S and risk to public and, if so, take appropriate action to safeguard employees, contractors and residents.
- (n) To manage the operation of the Tuesday market, including approval of new stall holders and the week-to-week administration thereof

❖ ~ End ~