



Ross-on-Wye Town Council

Terms of Reference and Scheme of Delegation

1. All committees and sub-committee 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 or sub-committees on any of the following matters shall be accompanied by the comments of the Finance and Personnel Sub-Committee.
 - (a) The annual budget of all committees and the precepts on the County Council
 - (b) The adoption and signing of the Annual Accounts for external audit.
 - (c) The making of byelaws
 - (d) Any matter of major policy or of sufficient interest or novelty that members would wish that it be debated by Full Council

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

The Management Committee will consist of all Members of the Town Council. Each standing sub-committee will consist of a minimum of six Members appointed at the Annual meeting of the Council with the exceptions of the Amenities Sub-Committee and the Property Sub-Committee that will each have a minimum of seven appointed Members.

Substitute Members will be asked to attend committee or sub-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 sub-committee if the ordinary member of the sub-committee confirms to the Proper Officer before the meeting that they are unable to attend.

The Management Committee Chairman will have ex-officio status, shall be a full voting member of every sub-committee, advisory committee and working task groups and will form part of the quorum.

(i) 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 oversee the budget setting process and recommend the precept level for consideration to Full Council
- (d) To consider schemes involving capital expenditure, outside that which has already been approved in the annual budget. When a scheme has been approved and the estimated costs agreed by the Management Committee the appropriate sub-committee may proceed with it subject to any tender accepted not exceeding the approved estimate.
- (e) The disposal of any freehold land (other than minor adjustments of boundaries).
- (f) The granting or taking of a leasehold interest in any land for a term exceeding twenty years
- (g) To vire amounts between budget headings
- (h) Authorisation of expenditure from the Council's reserve accounts
- (i) To monitor and manage the Council's response to the Climate and Eco Emergency
- (j) The appointment of a town clerk
- (k) The mid-term appointment of committees, sub-committees, and representatives on outside bodies
- (l) To monitor and manage health and safety issues
- (m) 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) Property Sub-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 sub-committee and make revisions where appropriate
- (c) To monitor management, repair, and maintenance of the Council's portfolio of buildings and contents including use by outside organisations or individuals
- (d) To vire amounts between budget headings
- (e) To report observations for information and recommend resolutions for approval following a meeting of the sub-committee in the form of a verbal report from the sub-committee chairman at the meeting of the Management Committee if appropriate

(iii) Finance and Personnel Sub-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 arrangements for Civic events and regalia
- (i) 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
- (j) To carry out the Town Clerk's appraisal
- (k) To oversee the recruitment and appointment of staff
- (l) Authority to dismiss staff failing to satisfactorily complete a probation period
- (m) To settle disciplinary matters in accordance with the agreed Disciplinary Procedures as set out in the Employee Handbook
- (n) To authorise, if necessary, an independent professional to conduct any investigations as a result of a grievance or appeal
- (o) 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)
- (p) To authorise commencement of any action or appeal before an industrial tribunal or in any court
- (q) To report observations for information and recommend resolutions for approval following a meeting of the sub-committee in the form of a verbal report from the sub-committee chairman at the meeting of the Management Committee if appropriate

(iv) Personnel Appeals Panel

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

(v) Amenities Sub-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 sub-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 street scene 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 sub-committee in the form of a verbal report from the sub-committee chairman at the meeting of the Management Committee if appropriate

(vi) Community, Markets and Tourism Sub-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 sub-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 or sub-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 monitor the content of the website and newsletter and approve the Annual Report
- (g) To promote opportunities for community engagement and increased involvement with local organisations
- (h) To develop positive communication and encourage effective dialogue to promote tourism
- (i) To work in partnership with others to help facilitate and/or deliver community events
- (j) To report observations for information and recommend resolutions for approval following a meeting of the sub-committee in the form of a verbal report from the sub-committee chairman at the meeting of the Management Committee if appropriate

(vii) Planning and Development Sub-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 sub-committee in the form of a verbal report from the sub-committee chairman at the meeting of the Management Committee if appropriate

(viii) Neighbourhood Planning Working Group

- (a) Neighbourhood Plan revision and updating
- (b) Neighbourhood Plan Implementation
- (c) To report observations for information and recommend resolutions for approval following a meeting of the Working Group in the form of a verbal report from the Working Group chairman at the meeting of the Planning & Development Sub-Committee 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 Sub-Committee).
 - (d) (i) Use of the 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 Council Chamber 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 Development Sub-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 Sub-Committee
 - (g) Where it is impracticable to refer a request for street naming to the Planning and Development Sub-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 Sub-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 Sub-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 or sub-committee concerned (or, in his/her absence, the deputy chairman of the relevant committee or sub-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 Management Committee.

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) Where appropriate, reports to committees, sub-committees and Full Council should include a Town Clerk's recommendation.
- (d) All reports to committees, sub-committees, or Full Council to indicate the financial implications of the items and if there were no financial implications that should also be stated.
- (e) A budget update report be submitted to the Management Committee at each meeting
- (f) 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.
- (g) Members appointed to the Finance & 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.

7. 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

Full Council 20/08#105

Full revision of document to reflect committee restructure re decision regarding governance arrangements under minute ref 20/07#91

Revised by Full Council, August 2020