



## **Broseley Town Council**

### Committee Structure, Terms of Reference and Powers of Delegation

The Town Council consists of eleven councillors who represent the people of Broseley. The Council has powers in pursuance of the Local Government Act 1972, Section 101 to delegate specific responsibilities to its officers, committees, working groups or another authority.

There are some matters that can only be resolved by the full Council at properly convened meetings. These are as follows:

1. Fix dates, times and venues for Council and committee meetings.
2. Elect a Chairman and Vice Chairman (the latter is at the discretion of the Council since there is no legal requirement).
3. Appoint committees and their membership.
4. Appoint Members to represent the Council on outside bodies.
5. Determine Terms of Reference for committees and working groups.
6. Determine whether the press and members of the public may attend committee and sub-committee meetings.
7. Determine whether members of the public may participate in committee and sub-committee meetings.
8. Dissolve committees and sub-committees.
9. Grant dispensations.
10. Approve Standing Orders and Financial Regulations.
11. In an election year, review whether the Council is eligible to exercise the power of general competence.
12. Set the final annual budget and precept.
13. Approve virements from budget headings.
14. Approve the Council's banking arrangements and borrowing.
15. Approve capital expenditure not already included in the annual budget.
16. Approve purchase and disposal of Council owned assets.
17. Approve accounting statements and annual governance statement.
18. Address recommendations in any report from the internal and external auditors.
19. Write off bad debts.
20. Approve the appointment and dismissal of the Town Clerk.
21. Approve the Town Clerk's salary.

The Council has the following scheme of delegation.

| COMMITTEE | TERMS OF REFERENCE  |  |  | POWERS OF DELEGATION   |
|-----------|---|--|--|--|
| Estates   | <p>Membership:</p> <p>Quorum:</p> <p>Authority:</p> <p>Conditions:</p> <p>Appointment:</p> <p>Meetings:</p> <p>Confidentiality:</p> <p>Information:</p> <p>Restrictions:</p> <p>Record keeping:</p> | <p>Minimum 4 Members plus the Mayor and Deputy Mayor ex officio.</p> <p>3 Members of the Committee.</p> <p>LGA 1972, S101 and S102.</p> <p>The Council's Standing Orders shall apply.</p> <p>Each Annual Town Council Meeting.</p> <p>Bimonthly.</p> <p>Data Protection Act 2018 and Public Bodies. (Admission to Meetings) Act 1960.</p> <p>Members will receive an agenda and supporting documents in accordance with the Council's Standing Orders.</p> <p>Only Members of the Committee may vote.</p> <p>All meetings to be minuted.</p> | <ol style="list-style-type: none"> <li>1. To manage the Council's land and property, whether leased or owned, as listed in the Council's asset register.</li> <li>2. To undertake an annual review of fees and charges for the cemetery.</li> <li>3. To monitor and review a rolling programme of maintenance of the cemetery and chapel.</li> <li>4. To monitor and review a rolling programme of structural maintenance.</li> <li>5. To operate and keep under review the Management Agreement with the Birchmeadow Centre in liaison with the Management Committee.</li> <li>6. Manage financial and legal arrangements with regard to the Multi Use Games Area (MUGA) and liaise with the MUGA Group on management issues.</li> <li>7. Manage an energy efficiency programme for the Council's street lighting.</li> <li>8. Manage the installation and removal of Christmas lighting in accordance with the agreed contract.</li> </ol> | <ol style="list-style-type: none"> <li>1. Delegated power to manage land and property for which the Council is responsible.</li> <li>2. No delegated power. To make recommendations to Council.</li> <li>3. No delegated power. To make recommendations to Council.</li> <li>4. No delegated power. To make recommendation to the Council on the budgetary implications.</li> <li>5. Delegated power to work with the Management Committee to promote the use of the Birchmeadow Centre.</li> <li>6. Delegated power to manage financial and legal arrangements in liaison with the MUGA Group.</li> <li>7. Delegated authority to manage energy efficiency for the Council's street lighting.</li> <li>8. Delegated authority to manage the Christmas lights contract.</li> </ol> |

| COMMITTEE | TERMS OF REFERENCE |   | POWERS OF DELEGATION  |
|-----------|--------------------|---|---|
| Estates   |                    | <ol style="list-style-type: none"> <li>9. Research the replacement or enhancement of new lighting and organize the annual switch-on event in liaison with the Christmas Lights Committee.</li> <li>10. Manage non-staffing aspects of services provided under Service Level Agreements (SLAs) with Shropshire Council.</li> <li>11. Promote the development and use of library services in consultation with the Council's Staffing Committee where staffing implications arise.</li> <li>12. Review the Council's insurance cover to ensure property is adequately insured.</li> <li>13. Look at opportunities for acquiring new land or property and disposal of existing land and property as may be required by the Council.</li> <li>14. Monitor the use of Council facilities and respond appropriately to feedback from users.</li> <li>15. To recommend to the Council opportunities to nominate and bid for assets of community value in pursuance of the Localism Act 2011, ss87-108, Community Right to Nominate and Bid for Assets of Community Value.</li> </ol> | <ol style="list-style-type: none"> <li>9. Delegated authority in liaison with the Christmas Lights Committee to research enhancement to the Christmas lights and organize switch-on events.</li> <li>10. Delegated authority to manage SLAs with Shropshire Council except aspects that relate to staff.</li> <li>11. Delegated authority to develop the use of the library.</li> <li>12. Make recommendations to the Council concerning property insurance.</li> <li>13. Make recommendations to the Council concerning the acquisition of land and property and disposal of existing land and property.</li> <li>14. Monitor use of facilities owned by the Council and make recommendations based on user feedback.</li> <li>15. To make recommendations to the Council to nominate or bid for assets of community value.</li> </ol> |

| COMMITTEE | TERMS OF REFERENCE  |   |   | POWERS OF DELEGATION   |
|-----------|---|---|---|--|
| Planning  | <p>Membership:</p> <p>Quorum:</p> <p>Authority:</p> <p>Conditions:</p> <p>Appointment:</p> <p>Meetings:</p> <p>Confidentiality:</p> <p>Information:</p> <p>Restrictions:</p> <p>Record keeping:</p> | <p>Minimum 4 Members of the Council plus Mayor and Deputy Mayor ex officio.</p> <p>3 Members of the Committee.</p> <p>LGA 1972, S101 and S102.</p> <p>The Council's Standing Orders shall apply.</p> <p>Each Annual Town Council Meeting.</p> <p>Monthly.</p> <p>Data Protection Act 2018 and Public Bodies. (Admission to Meetings) Act 1960.</p> <p>Members will receive an agenda and supporting documents in accordance with the Council's Standing Orders.</p> <p>Only Members of the Committee may vote.</p> <p>All meetings to be minuted.</p> | <ol style="list-style-type: none"> <li>1. To manage the development and implementation of the Neighbourhood Development Plan for Broseley.</li> <li>2. To carry out an annual review of Shropshire Council's Place Plan for Broseley.</li> <li>3. To review the Community Infrastructure Levy (CIL) priorities for Broseley so that they make an effective contribution to planning and highways decisions affecting the parish of Broseley.</li> <li>4. To consider and approve a response to all planning applications within the parish of Broseley.</li> <li>5. To refer contentious or major development planning applications to the Council.</li> <li>6. To make recommendations to the Council on: <ul style="list-style-type: none"> <li>o Regional planning matters.</li> <li>o The Place Plan infrastructure priorities.</li> <li>o Implementation and review of the town Plan 2013-2026.</li> <li>o Local, regional and strategic planning and development issues.</li> </ul> </li> </ol> | <ol style="list-style-type: none"> <li>1. To make recommendations to the Council on the development and adoption of the Neighbourhood Development Plan for Broseley.</li> <li>2. To make recommendations to the Council on how the Place Plan for Broseley should be developed.</li> <li>3. To make recommendations to the Council on how CIL monies might be spent in Broseley.</li> <li>4. Delegated authority to respond to all planning applications within the parish of Broseley.</li> <li>5. To refer some planning applications to the Council with recommendations as to how to respond.</li> <li>6. To make recommendations to the Council on planning matters that affect the parish of Broseley whether negative or positive.</li> </ol> |

| COMMITTEE | TERMS OF REFERENCE   |  |  | POWERS OF DELEGATION  |
|-----------|--|--|--|---|
| Planning  |  |  | 7. To develop a strategy to promote the local tourist economy and boost local employment in tourism.   | 7. To develop a local tourism strategy for approval by the Council.   |
| Staffing  | <p>Membership: 4 Members of the Town Council.</p> <p>Quorum: 3 Members of the Committee.</p> <p>Authority: LGA 1972, S101 and S102.</p> <p>Conditions: The Council's Standing Orders shall apply.</p> <p>Appointment: Each Annual Town Council Meeting.</p> <p>Meetings: As required but at least 3 times per year.</p> <p>Confidentiality: Data Protection Act 2018 and Public Bodies. (Admission to Meetings) Act 1960.</p> <p>Information: Members will receive an agenda and supporting documents in accordance with the Council's Standing Orders.</p> <p>Restrictions: Only Members of the Committee may attend and vote. The Committee may not consider complaints by one Council employee against another Council employee, or between the Council as an employer. These matters are dealt with under the Council's disciplinary and grievance procedures.</p> |  | <ol style="list-style-type: none"> <li>1. To ensure the Council conforms with employment legislation and operates in compliance with Health and Safety Regulations, including the Council's Duty of Care to employees, and its duty as an Equal Opportunities Employer.</li> <li>2. To ensure the Council is adequately staffed to meet its workload without imposing unreasonable stress.</li> <li>3. To inform the Council of work pressures that may have an adverse impact on employees.</li> <li>4. Consider the need for overtime and additional casual labour for manual work.</li> <li>5. Consider the need for staff overtime.</li> <li>6. Consider the need for the creation of new posts.</li> <li>7. To review employee pay scales.</li> <li>8. To develop job descriptions and person specifications for new posts.</li> <li>9. Consider pay scales for new posts.</li> </ol> | <ol style="list-style-type: none"> <li>1. Committee to have the power to ensure that the Council complies with employment legislation.</li> <li>2. No delegated power to appoint staff. To make recommendations to Council.</li> <li>3. To make recommendations to Council to alleviate work pressures to maintain well-being.</li> <li>4. Delegated authority to approve overtime and casual labour for manual work within an approved budget.</li> <li>5. Delegated authority to approve necessary staff overtime.</li> <li>6. No delegated authority. To make recommendations to Council.</li> <li>7. No delegated authority. To make recommendations to Council.</li> <li>8. No delegated authority. To make recommendations to Council.</li> <li>9. No delegated authority. To make recommendations to Council.</li> </ol> |

| COMMITTEE | TERMS OF REFERENCE |                             |  | POWERS OF DELEGATION   |
|-----------|--------------------|-----------------------------|--|--|
| Staffing  | Record keeping:    | All meetings to be minutes. | <p>10. To oversee the recruitment of employees and succession planning.</p> <p>11. To draft policies pertinent to employment.</p> <p>12. To consider training and development needs of employees.</p> <p>13. To review the Council’s disciplinary and grievance procedures.</p> <p>14. To ensure the Council complies with Data Protection when discussing employee matters at Council meetings.</p> <p>15. To oversee staff performance via appraisals and performance reviews.</p> <p>16. To discipline employees found to be culpable of misconduct following advice supported by evidence from the Discipline and Grievance Sub-Committee.</p> | <p>10. No delegated authority. To make recommendations to Council.</p> <p>11. To make recommendations to Council.</p> <p>12. Delegated power to approve training within the approved budget.</p> <p>13. Delegated power to review policies for dealing with discipline and grievance issues and to make recommendations to Council where amendments are necessary.</p> <p>14. Ensure staffing matters are conducted in confidence at Council meetings.</p> <p>15. Delegated authority to oversee staff appraisals and performance reviews and to recommend appropriate training were necessary.</p> <p>16. Delegated power to discipline employees culpable of misconduct.</p> |

| SUB-COMMITTEE            | TERMS OF REFERENCE  |  |   | POWERS OF DELEGATION  |
|--------------------------|---|--|---|---|
| Discipline and Grievance | <p>Membership:</p> <p>Quorum:</p> <p>Authority:</p> <p>Conditions:</p> <p>Appointment:</p> <p>Meetings:</p> <p>Confidentiality:</p> <p>Information:</p> <p>Restrictions:</p> <p>Record keeping:</p> | <p>3 Members of the Town Council who are not Members of the Staffing Committee.</p> <p>3 Members of the sub-committee.</p> <p>LGA 1972, S101 and S102.</p> <p>To act in accordance with the Council's Discipline and Grievance Procedure.</p> <p>To follow the ACAS Code of Practice.</p> <p>As required.</p> <p>As required.</p> <p>Data Protection Act 2018 and Public Bodies. (Admission to Meetings) Act 1960.</p> <p>Members will receive information as deemed necessary.</p> <p>Only Members of the sub-committee may attend meetings.</p> <p>A written record of all decisions should be retained and stored in a confidential file.</p> | <ol style="list-style-type: none"> <li>1. To hear grievances raised by employees.</li> <li>2. To view the evidence with impartiality.</li> <li>3. To reach a decision on how the grievance should be actioned and report such action in writing to the Staffing Committee.</li> </ol> | <ol style="list-style-type: none"> <li>1. Delegated power to hear employee grievances.</li> <li>2. Delegated power to reach a decision concerning an employee's grievance.</li> <li>3. No delegated power to discipline employees.</li> </ol> |
| Appeals                  | <p>Membership:</p>  | <p>3 Members of the Town Council who are not Members of the Staffing Committee nor the Discipline and Grievance</p>  | <ol style="list-style-type: none"> <li>1. To hear appeals against a decision concerning the outcome of an employee's grievance or disciplinary matter.</li> </ol>   | <ol style="list-style-type: none"> <li>1. Delegated power to deal with appeals raised by employees.</li> </ol>  |

| SUB-COMMITTEE | TERMS OF REFERENCE   |   |   | POWERS OF DELEGATION   |
|---------------|--|---|---|--|
| Appeals       | <p>Quorum:</p> <p>Authority:</p> <p>Conditions:</p> <p>Appointment:</p> <p>Meetings:</p> <p>Confidentiality:</p> <p>Information:</p> <p>Restrictions:</p> <p>Record keeping:</p> | <p>sub-committee.</p> <p>3 Members of the sub-committee.</p> <p>LGA 1972, S101 and S102.</p> <p>To act in accordance with the Council's Appeals Procedure.</p> <p>As required.</p> <p>As required.</p> <p>Data Protection Act 2018 and Public Bodies. (Admission to Meetings) Act 1960.</p> <p>Members will receive information as deemed necessary.</p> <p>Only Members of the sub-committee may attend meetings.</p> <p>A written record of all decisions should be retained and stored in a confidential file.</p> | <ol style="list-style-type: none"> <li>2. To consider the evidence of an appeal with impartiality.</li> <li>3. The decision of the Appeals Sub-Committee will be final.</li> <li>4. To advise the employee of the outcome of the appeal in writing.</li> <li>5. To inform the Staffing Committee of the outcome of an appeal in writing.</li> </ol> | <ol style="list-style-type: none"> <li>2. Delegated power to make a final decision.</li> </ol> |



| WORKING GROUP                 | TERMS OF REFERENCE  |  |   | POWERS OF DELEGATION                                |
|-------------------------------|---|--|---|---|
| Place Plan and Reserves (PPR) | Membership:<br>Quorum:<br>Authority:<br>Appointment:<br>Meetings:<br>Confidentiality: | 4 Members of the Council.<br>N/A.<br>LGA 1972, S101 and S102.<br>As required.<br>As required.<br>Data Protection Act 2018. | <ol style="list-style-type: none"> <li>To consider the allocation of reserves for local projects.</li> <li>To consider grant applications received and make recommendations to the Town Council.</li> <li>To consider the financial implications of Town Council projects.</li> </ol> | No delegated powers – to make recommendations only. |

| ADMINISTRATION         | JOB DESCRIPTION  | POWERS OF DELEGATION   |
|------------------------|--|--|
| Town Clerk             | <ul style="list-style-type: none"> <li>To carry out functions as outlined in job description.</li> <li>To manage and act as line manager to all employees of the Council.</li> <li>To service the Council in accordance with legislation.</li> <li>To produce all information required for making effective decisions and to implement constructively all decisions.</li> <li>To be accountable to the Council for the effective management of all its resources and report to them as and when required.</li> </ul> | <ol style="list-style-type: none"> <li>Statutory duty to carry out all functions of the Council and in particular to serve or issue all the notifications required by law.</li> <li>Carry out the instructions of the Council as agreed at properly constituted meetings.</li> <li>To manage and delegate functions to other staff members.</li> </ol> |
| RFO                    | <ul style="list-style-type: none"> <li>To carry out functions as outlined in job description.</li> <li>To be responsible for all the financial records of the Council and the careful administration of its finances.</li> </ul>   | <ol style="list-style-type: none"> <li>Statutory duty to carry out all the financial functions of the Council in accordance with Financial Regulations and other legislation and regulations that apply to local councils.</li> </ol>  |
| Administration Officer | To carry out functions as outlined in job description.   | None.  |

The Council or its Committees may as required establish Task and Finish groups which can meet informally and make recommendations to the Council or its Committees. These meetings will be unclerked.