



WESTGATE-ON-SEA TOWN COUNCIL

COMMITTEE TERMS OF REFERENCE AND SCHEME OF DELEGATIONS

Adopted 14.05.2023

Last Review 05.2026

Next Review 05.2027

1. Introduction

Committees may exercise delegated functions on behalf of the Town Council under the following terms of reference, subject to: -

The Town Council's approved Budget and Financial Regulations.

The Town Council's approved Standing Orders.

Any previous minuted decision of the Town Council.

Any matters reserved to the Town Council by law.

2. FINANCE AND GENERAL PURPOSES COMMITTEE

Role of Committee:

To manage the Council's financial resources, to guide the Council in its strategy and act on policy and operational matters concerned with Council's finances, property, assets, and land.

Membership:

The Committee shall consist of a minimum of FOUR Councillors appointed by the Full Council at the Annual Town Council Meeting each May.

The quorum for a meeting will be a minimum of three Councillor members.

The Town Council Chair and/or Vice-Chair should be a member of the Committee.

The Committee may not appoint anyone other than Town Councillors to the Committee or any sub-committee.

Defining Roles

At the first meeting following the Annual Council Meeting, the Committee will elect a Chair and Vice-Chair.

Meetings:

The Committee is required to hold meetings at least on a quarterly basis.

The Responsible Financial Officer shall attend all Committee meetings.

There will be no meeting held in August of each year.

Voting:

All decisions of the Committee shall be determined by majority vote. The Chair has the casting vote when there are equal numbers of votes.

Rights and Powers:

To guide the Council in the formulation of its objectives.

To identify the need for new services and facilities.

To facilitate the organisation and budget provision for Town Council events and initiatives proposed by Full Council.

To manage the Events and Tourism budget agreed each financial year on behalf of Council.

To be responsible for overseeing and controlling the financial resources of the Council.

To ensure adequate financial controls are in place to utilise and protect the Council's finances and assets.

To make provision for future agreed capital projects.

To consider the financial estimates of the Council and recommend the precept to be levied to Full Council for debate and resolution.

To be responsible for overseeing the Council's revenue and capital budget and the works scheduled therein.

To be responsible for the collection of all revenue, the raising and renewal of loans and the review of insurance policies.

To allocate and 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.

To be responsible for the banking, financial and accounting methods adopted by the Council.

To oversee the management of the provision of allotments.

To enter into legal proceedings on the Council's behalf within the Committee's delegated limit of financial expenditure.

To consider the delegation of appropriate services to the Town Council from other authorities.

To respond to consultations from Government and other bodies that will not admit of delay.

To deal with applications for grants and donation applications.

To manage and maintain expenditure for maintenance and determine emergency repairs, safety and upkeep of the Council's land, buildings and premises.

To deal with matters not normally dealt with or specifically referred to other Committees or sub-Committees.

The Committee may appoint an appropriate sub-committee or Working Group(s) to facilitate the work of the Committee within their delegated rights and powers.

3. EVENTS, TOURISM & DEVELOPMENT COMMITTEE

Role of Committee:

The purpose of the E,T&D Committee is not to replace any existing local group, organisation or club, it shall be a conduit to encourage local groups, clubs and community organisations to work in collaboration with the Town Council.

Encourage as many community groups as possible and organisations to be involved in the events, tourism initiatives and improvements identified for the Town.

Build, investigate and identify events for a full year rolling calendar for the Town.

Take responsibility for planning, research, identifying costs and available grants for events for the Town and report back to the F&GP Committee or Town Council on these matters.

Liaise with relevant authorities and organisations to report back to the F&GP Committee or Town Council on these matters.

Identify ways of involving the whole community and gather the views and opinions of as many groups and organisations in the community as possible.

Regularly report back to the Town Council on progress, issues arising and recommendations from the Committee.

To identify initiatives for boosting tourism in the Town and surrounding area.

To recommend improvements for the Town and how the Town Council can facilitate the implementation with use of funding, sponsorship and grant opportunities.

To work on PR & Marketing initiatives that will promote the Town to local residents and visitors.

Membership:

There will be a minimum of FIVE Town Councillors nominated by the Town Council; one Chair and Vice-Chair position will be filled as voted for by the Committee.

Defining Roles

At the first meeting following the Annual Council Meeting, the Committee will elect a Chair and Vice-Chair.

Roles and Relationships

The Town Council will provide the opportunity for the endorsement of regular reports via its meeting agenda.

Meetings

E,T&D Committee meetings will preferably take place every month.

At least three clear days' notice of meetings shall be sent to members via the communication method agreed with, and appropriate to each individual member.

The Town Clerk or Nominated Person shall keep a record of meetings and circulate minutes to Committee members and the Town Council in a timely fashion. Minutes shall be made publicly available on the Town Council website.

All meetings should be open to the public.

A minimum of three members shall be present for decisions to be taken. A simple majority vote will be required to support any motion. The Chair will have one casting vote.

Working Groups

The Committee may establish working groups, made up of volunteers from the community to aid them in any Event and/or Project related work.

Each working group should have a lead person from the Committee.

Finance

All grants and funding will be applied for and held by the Town Council, who will ring-fence the funds for the Event and/or Project purposes only.

Notification of all planned expenditure will be given to the Town Clerk before actual costs are incurred.

There is an Events budget agreed annually by the Town Council. The Committee has delegated authority from F&GP Committee for the use of £1000 maximum per event for incidental expenditure in relation to events, tourism and initiatives.

Changes to the Terms of Reference

This constitution may be amended with the support of at least two thirds of the current membership at a Committee meeting and with the approval of either F&GP Committee or the Town Council.

4. HUMAN RESOURCES COMMITTEE

Role of Committee:

To manage human resources for the Council, to review, debate and recommend on policy and operational matters concerned with the Council's Human Resources. To manage the Human Resources budget which includes training budget for Members and staff.

Membership:

The Committee shall consist of a minimum of FOUR Councillors appointed by the Full Council at the Annual Council Meeting each May.

The quorum for a meeting will be a minimum of three Councillor members.

The Committee may not appoint anyone other than Town Councillors to the committee.

Defining Roles

At the first meeting following the Annual Council Meeting, the Committee will elect a Chair and Vice-Chair.

Meetings:

The committee is required to hold meetings at least quarterly.

There will be no meeting held in August of each year.

A minimum of three members shall be present for decisions to be taken. A simple majority vote will be required to support any motion. The Chair will have one casting vote.

Rights and Powers:

To review existing staffing related policies to ensure that pay and working conditions are in line with the sector and meet all relevant statutory UK regulations and legislation including amendments and that the Council follows good working practices, as defined by the Chartered Institute of Personnel and Development.

To authorise Members' attendance at conferences, courses and meetings.

To review staffing levels, draft a staffing strategy, implement, review and monitor strategy to ensure the work of the Town Council is efficiently discharged in consultation with Full Council.

To review recruitment policies to ensure that the Council do not discriminate against sex, age, race, colour or disability and that the policies consider both the needs of the job and that of Council.

Research and investigate new HR policies and initiatives for consideration by the Full Council for approval.

To determine pay and contractual conditions of employment and review/update these as necessary to comply with UK Employment Law, as well as good practice.

To oversee the Council's pension policy and the criteria required for eligibility.

To oversee and agree the annual appraisal of the Town Clerk through the Chair of the Town Council, who will conduct regular reviews and the annual appraisal.

Oversee the grievance, misconduct and dismissal procedures and nominate hearing panels to determine decisions as and when required.

To determine the training and qualification policy of the Council and to recommend and oversee all training for employees and Councillors.

To support the Town Clerk in the approval of all staff recruitment, appointment, training and dismissals.

To establish and review performance management;

- (i) The Town Clerk to be responsible for the general staffing appraisals, keeping a written and electronic record
- (ii) The Chair, Vice-Chair and Members of the HR Committee who have undergone training to be responsible for the Clerk's appraisal, keeping a written and electronic record.

To establish the health, safety and welfare policies of the Council and oversee implementation and compliance.

To monitor the leave and absences of employees in order to address any regular or sustained staff absences.

To ensure all disciplinary and grievance policies are dealt with in line with the Council's procedures.

One Member of the committee may be invited to sit on the Appeals Committee if and when required; Appeals will be decided by Council.

To manage the Human Resources budget including the training budget for Members and the staff of the Town Council.

5. APPEALS COMMITTEE

Role of Committee:

To act as an independent appeals committee.

Membership:

The Committee shall consist of THREE Councillors, advisable to include the Chair of the Council and to include one from the Human Resources Committee appointed by Council as and when required. The Committee will be established if and when required.

The quorum for a meeting will be a minimum of three councillor members.

Meetings:

The Committee will meet as and when required.

A minimum of three members shall be present for decisions to be taken. A simple majority vote will be required to support any motion. The Chair will have one casting vote.

Rights and Powers:

To hear and determine all matters of appeal concerning employees.

6. PLANNING, HIGHWAYS AND ENVIRONMENT COMMITTEE

Role of Committee:

The Committee role is to consider, decide upon and make recommendations on:

- Planning application consultations sent by Thanet District Council and any other authorities.
- Statutory and non-Statutory planning policy documents from whatever source.

The Committee role is also to:

- Debate and recommend strategy and action on any matters related to highways and by-ways of Westgate-on-Sea or highways or by-ways that directly affect the Town
- Debate and recommend strategy and action on any matters related to the general environment and environmental sustainability of Westgate-on-Sea

Membership:

The Committee shall consist of a minimum of FOUR members appointed by the Full Council at the Annual Council Meeting each May.

The quorum for a meeting will be a minimum of three Councillor members.

Defining Roles

At the first meeting following the Annual Council Meeting, the Committee will elect a Chair and Vice-Chair.

Meetings:

All meetings shall have minutes taken by the Town Clerk or other nominated employee and conducted in the manner as prescribed for Full Council meetings in the Westgate-on-Sea Town Council Standing Orders, as in force at the time.

The Committee will meet monthly except for August each year.

Rights and Powers:

The Committee can ask any member of the public, company, or organisation they think will be of benefit to the decision making of The Committee to give evidence to the Committee.

- The Committee will perform the following on behalf of Full Council:
 - Scrutinise all planning applications made within the area covered by Westgate-on-Sea Town Council.
 - Scrutinise any planning applications that are on other areas, but which may impact on the area covered by Westgate-on-Sea Town Council.
 - Make recommendations on behalf of Full Council, as to whether the application should be;
 - i. Supported (with or without comments);
 - ii. Objection (with comments);
 - iii. No Objection offered (neutral) or
 - iv. Called In (this can only be undertaken by a District Councillor).
- * DEVOLVED AUTHORITY – Where the Planning Application is subject to time constraints for comments which mean that a meeting will not be held before

the deadline for comments then the Chair and Vice-Chair have the authority of Full Council to do any of the following through the Clerk;

- a. Call an Extra-Ordinary Meeting of the Planning, Highway and Environment Committee to consider the matter.
 - b. Ask any District or County Councillor (as appropriate) to “Call In” the application.
 - c. Make representation to the relevant authority requesting an extension to the consultation dates.
 - d. Ensuring they comply with any Planning Policy of Westgate-on-Sea Town Council, make a response on behalf of Westgate-on-Sea Town Council, reporting such response to the next available Planning Committee Meeting or Full Council Meeting.
- The Committee will carry out any site visits through and with the Clerk it feels are necessary to assist it in its deliberations.
 - The Committee will provide an overview to the Full Council monthly if matters warrant their attention.

7. LOCAL TRANSPORT COMMITTEE

Role of Committee:

The purpose of the Local Transport Committee is to consider practical solutions for local transport in Westgate-on-Sea where there is a demonstrated need.

Take responsibility for planning, research, identifying costs and options for the Town and report back to the Town Council on these matters.

Liaise with relevant authorities and organisations to report back to the Town Council on these matters.

Identify ways of involving the whole community and gather the views and opinions of as many groups and organisations in the community as possible.

Regularly report back to the Town Council on progress, issues arising and recommendations from the Committee.

To recommend improvements for the Town and how the Town Council can facilitate the implementation with use of funding, sponsorship and grant opportunities.

Membership:

There will be a minimum of THREE Town Councillors nominated by the Town Council.

Defining Roles

At the first meeting following the Annual Council Meeting, the Committee will elect a Chair.

Meetings

LT Committee meetings will be held as required but not more than once a month.

At least three clear days' notice of meetings shall be sent to members via the communication method agreed with, and appropriate to each individual member.

The Town Clerk or Nominated Person shall keep a record of meetings and circulate minutes to Committee members and the Town Council in a timely fashion. Minutes shall be made publicly available on the Town Council website.

All meetings shall be open to the public.

A minimum of three members shall be present for decisions to be taken. A simple majority vote will be required to support any motion. The Chair will have one casting vote.

Working Groups

The Committee may establish working groups, made up of volunteers from the community to aid them in any Project related work.

Each working group should have a lead person from the Committee.

Finance

All grants and funding will be applied for and held by the Town Council, who will ring-fence the funds for the Project purposes only.

Notification of all planned expenditure will be given to the Town Clerk before actual costs are incurred.

8. ALLOTMENTS WORKING GROUP

Membership:

- The Allotments Working Group shall consist of one Officer from the Town Council and a minimum of THREE Allotment Holders to represent the tenants of the allotment garden.
- All members of the Working Group will receive notification by email for the dates for meetings at least three clear working days in advance, including Agenda and any other relevant papers for the Working Group meeting.

Procedures

- The Allotments Working Group will operate in accordance with Local Government law and in accordance with the Council's Standing Orders.
- At the first meeting of the Working Group the Group shall elect a Chair and Vice-Chair for the forthcoming year from amongst the Group membership. The Chair and Vice-Chair may be re-elected in subsequent years.

- The Group may submit minutes of meetings to the next Council meeting and seek approval for recommendations made.
- The Town Clerk or designated officer shall provide administrative support for the Group when necessary.

Frequency of Meetings:

- The Group shall meet when needed, with a minimum of twice yearly.

Functions:

- To consider any issues relating to the management of land and facilities within the boundary of the Allotment Gardens.
- To discuss and make recommendations to the Council on matters delegated to the Allotments Working Group, currently: -
 - Allotments Officer – to recommend levels of fees and charges for the letting of the allotments at Lymington Road.
 - To ensure that all plots are cultivated and maintained on a regular basis; any new tenants to have at least 50% of their plot cultivated to within a period of six months.
 - To advise the Town Clerk if any plots are not meeting the recommendations of the National Society of Allotments and failing to operate under a thirty-day non-cultivation system; in this instance the Town Council may elect to serve notice which could result in the tenancy being terminated if neglect is still evident.
 - To ensure all rules relating to the Allotment Gardens on Lymington Road made by the Town Council are upheld.
 - The Chair of the Allotment Working Group and two representatives shall undertake regular inspections of the Allotment Gardens and provide the Group with a report at the next meeting.

Rent

- All payments for rent for an Allotment Garden will be administered by the Town Clerk or representative, to be paid annually in advance on receipt of an invoice, within a period of 21 days. The annual invoices are generally sent out when the tenancy expires at the end of September each year.

9. SUBSTITUTION

Where an ordinary Member of a Committee cannot attend a Committee meeting a substitute Member may be proposed and communicated to the Town Clerk in writing by the ordinary

Member at least 2 days before the meeting takes place with the agreement of the substitute Member. The appointment of the substitute if agreed by the Committee Members of the meeting will be allowed voting rights for that meeting.

10. DELEGATIONS

(a) General

Where powers or duties have been delegated to a Committee it shall be competent for that Committee in turn to assign functions or delegate powers and duties to the Town Clerk provided that any action taken under delegated powers by the Town Clerk shall be reported to the next meeting of the appropriate committee or sub-committee (or Council) for information.

A committee may set up a working group to investigate, consider and report back with recommendations on any issue.

Any power or duty which is delegated under this scheme is subject to Town Council policy and the approved budget and may also be exercised by the Town Council or any Committee which has delegated or further delegated that power or duty.

(b) Chairperson's powers

The Town Clerk may, in consultation with the Chair of the Council, on the Council's behalf deal with, decide or take action on such matters as will not admit of delay, subject to a report indicating such action being submitted to the next meeting of the Council.

(c) Delegation to the Town Clerk

The following list of delegations to the Town Clerk may, from time to time, be further delegated to the Council's officers at the discretion of the Town Clerk.

- To be and carry out the functions of the Proper Officer under the Local Government Act 1972.
- To arrange and call meetings of the Town Council and its Committees and Sub-Committees; and to implement decisions thereof.
- The general management of the Council's services in accordance with the policies determined from time to time by the Council and its Committees, including dealing with correspondence and handling complaints and requests for information.
- The management of the Town Council's facilities.
- The initiation of new arrangements and revision of existing arrangements for the improved management of Council establishments providing the estimated cost has been included in the current revenue budget.
- The determination of the use of existing office accommodation, the purchase of equipment and the authorisation of repairs and maintenance to all buildings and equipment within the financial limit of the current revenue budget.
- The implementation of non-discretionary adjustments to the Scheme of Conditions of Service of the National Joint Council.

- The appointment, management, development, appraisal and discipline of employees.
- The delegation of staff to attend courses, seminars etc. relevant to their position with the Council
- Any action necessary in an emergency to protect the Council's property or assets or minimise its liabilities, subject to consultation where practicable with the Chair and to report back to the next appropriate Council meeting.

(d) Further Delegations

The Council may, from time-to-time, further delegate action to the Town Clerk. Such delegation will be clearly minuted and revised accordingly.

(e) Delegations to the Responsible Financial Officer

To be the Responsible Financial Officer for the purposes of section 151 of the Local Government Act 1972 and carry out the functions of the Responsible Financial Officer under the Local Government Act 1972, including the maintenance of the Council's accounts, arrangements for internal audit and the preparation of budget estimates for the forthcoming year.

To make arrangements to pay the salaries and wages of employees of the Council.