



# Annual Council 20 May 2020 – Appendix A

# FELIXSTOWE

## TOWN COUNCIL

### Terms of Reference

This document sets out the Terms of Reference, outlining the scope and delegated authority for decision making by the Council and its Committees.

#### **GENERAL PROVISIONS**

1. These Terms of Reference are subject to Council's Standing Orders and Financial Regulations.
2. The Mayor of Felixstowe is an *ex-officio* (by right of office) Member with voting rights on the following Committees: Finance & Governance, Planning & Environment, Assets & Services, Civic & Community.
3. The Mayor of Felixstowe is the Chairman of the Personnel Committee, *ex-officio*.
4. The Deputy Mayor is the Member of the Personnel Committee, *ex-officio*.
5. The Mayor of Felixstowe for the previous municipal year (if remaining in office as a Town Council Member) to be appointed to the Personnel Committee in order that continuity on such matters as the annual appraisal of the Town Clerk can be maintained.
6. Subject to Council's Financial Regulations, or any other applicable policy, all Committees have the authority to delegate any of its functions to the Town Clerk, or to Working Groups consisting the Town Clerk and one or more Members appointed by the Committee. Such authority to be given by way of recorded resolution made by the authorising Committee.
7. The Council, or any Committee within the provisions of its Terms of Reference, may nominate any of its Members and/or Town Council staff to represent the Council at external organisations.
8. All Committees may authorise expenditure within their agreed budgets, in accordance with Financial Regulations, without further approval by Council.
9. Committees shall be enabled to make recommendations to Council, or any other Committee as may be appropriate, on any matters arising from the agenda that are outside of the scope of that Committee.

#### **DELEGATED POWERS**

Members will be advised by the Town Clerk whether or not a particular item under discussion is within the Committee's delegated powers. The minutes will then record the decision as "RESOLVED". If it is not, then the minutes will show the decision as "RECOMMENDED", and will then be brought to the Council's particular attention by the Chairman of the Committee at the next meeting of the Council when seeking approval and adoption of the Committee's minutes. This item can be discussed in full by the Town Council.

**Felixstowe Town Council appoints Members to the following meetings:**

Finance & Governance Committee  
Assets & Services Committee  
Civic & Community Committee  
Planning & Environment Committee

Youth Forum  
Personnel Committee  
Appeals Committee

## **COUNCIL**

**Members (16, quorum is 6):** All Town Councillors

**Chairman:** Mayor of Felixstowe (Elected at Annual Council)

**Vice-Chairman:** Deputy Mayor (Elected at Annual Council)

**Meetings per year: 7**

**Annual Council** (Mayor-making, Committee appointments, Key governance documents and policies) is held at 7pm on the third Wednesday in May each year, the week following the Annual Town Meeting.

**Ordinary Council** meetings are held on Wednesdays in:

- June (Annual Governance and Return)
- July
- September (Report of Ext. Audit)
- November
- January (Budget and Precept)
- March

**To carry all statutory functions reserved to Council, including but not limited to:**

1. To approve the Annual Budget and Precept demand.
2. To approve expenditure against General Fund/Earmarked Reserves and any virements across Committee budgets.
3. To review and amend the Standing Orders and the functions and constitution of the Committees of the Council.
4. To approve a schedule of meetings of the Council and its Committees.
5. To approve the appointment or nomination by the Council of persons to fill vacancies on outside bodies.
6. To take appropriate action on the recommendations of Committees or Working Parties of the Council as necessary.
7. To review these Terms of Reference and delegated authority provided to Committees and the Town Clerk from time to time.
8. The appointment and dismissal of the Town Clerk.
9. To approve Accounts for Payment.
10. To authorising the sealing of legal documents, leases, contracts and licences where authority to do so is not provided elsewhere.
11. To respond to major consultations and those outside of the scope of other Committees.
12. To receive the External Audit report and approve the Annual Return.
13. To consider any matters within the Terms of Reference of another Committee at any time.
14. To consider all other matters outside of any other Committee's Terms of Reference.

## **FINANCE & GOVERNANCE COMMITTEE**

**Members (9, quorum is 3):** Members to be appointed at Annual Council, broadly in line with political proportionality, to include the Chairman of the Assets & Services and the Chairman of the Civic & Community Committees.

**Chairman:** Appointed by Annual Council.

**Vice-Chairman:** Appointed by Annual Council.

**Meetings per year:** 6

Committee meetings are held on Wednesdays in:

- May (Full year accounts to 31 March of previous year. Full Year Int. Audit Report of previous year)
- July (Q1 account of current year)
- Oct (Q2 account of current year. Half-Annual Internal Audit)
- Dec (**2<sup>nd</sup> Weds** to consider Draft Budget)
- Jan (Q3 account of current year)
- Mar (Terms of Reference, Policies, Meeting Schedule etc, for Annual Council approval in May)

### **Key Responsibility:**

To review Council governance, oversee development of Council policies, business plans and the management of Council finances, including the recommendation to Council of the annual budget and precept in accordance with Financial Regulations.

### **Delegated Authority:**

1. Expenditure against the Council's Administration Budget, including virements within the budget envelope set by Council.
2. Monitoring Council's Monthly Accounts Reports and taking appropriate action to ensure compliance with budget.
3. Coordination of Annual Budget Estimates from all Committees for recommendation to Council.
4. Review, Implement or Recommend policies to Council on matters relating to:
  - i. Business Planning
  - ii. Financial control/audits
  - iii. Financial Regulations and Standing Orders
  - iv. Insurance
  - v. Investments
  - vi. Loans
  - vii. Long term plans and strategy
  - viii. Legal issues
  - ix. Risk management
5. To make recommendations to Council regarding policy and strategic matters relating to all of the above.

## **ASSETS & SERVICES COMMITTEE**

**Members (9, quorum is 3):** Members to be appointed at Annual Council, broadly in line with political proportionality.

**Chairman:** Appointed by Annual Council.

**Vice-Chairman:** Appointed by Annual Council.

**Meetings per year:** 5

Committee meetings are held on Wednesdays in:

- June
- Sept (Fees and Charges)
- Nov (draft budget for following year)
- Feb
- April (Asset Register Review)

### **Key Responsibility:**

To oversee the management and maintenance of Council's land and property assets and those related services directly provided or commissioned by the Council.

### **Delegated Authority:**

1. Expenditure against the Council's Assets & Services Budget, including virements within the budget envelope set by Council.
2. To recommend annual budget estimates for the Assets & Services Budget to the Council's Finance & General Purposes Committee.
3. To monitor the financial performance, quality and effectiveness of service provision.
4. To review and set scales of Fees and Charges.
5. To ensure the Council's land and property assets are protected from loss, damage, encroachment or similar issues.
6. To ensure the Council's obligations as land and property owners are fulfilled
7. To make recommendations to Council regarding policy and strategic matters relating to all of the above.

## **CIVIC & COMMUNITY COMMITTEE**

**Members (9, quorum is 3):** Members to be appointed at Annual Council, broadly in line with political proportionality.

**Chairman:** Appointed by Annual Council.

**Vice-Chairman:** Appointed by Annual Council.

**Meetings per year:** 6

Committee meetings are held on Wednesdays in:

- June (Grants R1)
- Sept (Annual Grants and Remembrance)
- Oct (Flx in Flower review, Christmas and draft budget for following year)
- Dec (Grants R2)
- Feb
- April (Grant reports, Civic Awards/Annual Town Meeting prep)

### **Key Responsibility:**

To oversee, support and develop community projects, in conjunction with other stakeholders as appropriate, and to raise the profile of events and services supported by the Town Council.

### **Delegated Authority:**

1. Expenditure against the Council's Civic & Community Budget, including virements within the budget envelope set by Council.
2. To recommend annual budget estimates for the Civic & Community Budget to the Council's Finance & General Purposes Committee.
3. To consider applications for and make awards for Occasional Grants.
4. To oversee the expenditure of Annual Grants or any expenditure of the Community Fund as may be authorised by Council and to make recommendations to Council on the future use of such funding.
5. To oversee Council's responsibility with regards to Twinning arrangements, Civic events and other events supported or delivered by the Town Council.
6. To consider opportunities for participation with community projects or working in partnership for the benefit of Felixstowe and to make recommendations to Council.
7. To receive reports on matters related to recreation, leisure, tourism and sport and to oversee the use of S106 or other funding related to the same.
8. To oversee the communications and media such as the Town Council website and newsletter.
9. To make recommendations to Council regarding policy and strategic matters relating to all of the above.

## **PLANNING & ENVIRONMENT COMMITTEE**

**Members (9, quorum is 3):** Members to be appointed at Annual Council, broadly in line with political proportionality.

**Chairman:** Appointed by Annual Council.

**Vice-Chairman:** Appointed by Annual Council.

**Meetings per year:** 25

- Fortnightly from the Wednesday following the Annual Council Meeting throughout the year, with a 3-week break at Christmas and Easter.

### **Key Responsibility:**

As a consultee of the planning authority, to consider all planning applications received from Suffolk Coastal District Council and make recommendations on behalf of the Town Council.

### **Delegated Authority:**

1. To comment on planning applications.
2. To respond to consultations on matters relating to planning or the local environment.
3. To receive and consider correspondence relevant to the Committee.
4. To comment on appeals lodged following the refusal of planning approval.
5. To receive reports on matters related to highways services delivered in the town.
6. To make recommendations to Suffolk County Council and other appropriate agencies on strategic highways matters.
7. To make recommendations to Council regarding policy and strategic matters relating to all of the above.

## **YOUTH FORUM**

**Members (3 + those appointed by Schools and Youth Services):** Three Town Council Members to be appointed at Annual Council, broadly in line with political proportionality.

**Chairman:** Appointed by the schools on a rotation basis.

**Meetings per year:** agreed in consultation with local schools

### **Key Responsibility:**

The young people who attend the Youth Forum agree their own agenda, supported by their associates and the Town Council. The Town Council provides administrative support and a venue for the meetings.

### **Delegated Authority:**

To make recommendations to the Civic & Community Committee on the use of any funding available in the Youth Forum budget for projects and activities for young people in Felixstowe.

## **PERSONNEL COMMITTEE**

**Members (5, quorum is 3):** Mayor of Felixstowe, Deputy Mayor and previous year's Mayor (if in Office. Other Members to be appointed at Annual Council with overall Membership of the Committee to be broadly in line with political proportionality.

**Chairman:** Mayor of Felixstowe (ex-officio)

**Vice-Chairman:** Appointed by Annual Council.

**Meetings per year: 2**

- October
- April

### **Key Responsibility:**

Matters relating to the recruitment and management of the Council's employees.

### **Delegated Authority:**

1. Annual Appraisal of the Town Clerk.
2. To review the staffing structure and budget on an annual basis, making recommendations to Council.
3. To review and authorise amendments to the staffing structure, grades and/or terms and conditions of employees in-year within the salaries budget set by Council or to otherwise make recommendations to Council.
4. To oversee the management of Health & Safety and the Council's corporate responsibilities as an employer.
5. To review and approve personnel-related policies and procedures.
6. To ensure compliance with personnel-related statutory requirements and legislation.
7. To act as the first stage in grievance or disciplinary hearings.
8. To make recommendations to Council regarding policy and strategic matters relating to all of the above.

## **APPEALS COMMITTEE**

**Members (5, quorum is 3):** Members to be appointed at Annual Council, broadly in line with political proportionality and who are not already appointed to the Personnel Committee.

**Chairman:** Appointed by Annual Council.

**Vice-Chairman:** Appointed by Annual Council.

**Meetings per year:** arranged ad-hoc, if and when required

### **Key Responsibility:**

To act as the second stage in matters relating to disciplinary, grievance and complaints.

### **Delegated Authority:**

1. To act as the second stage in grievance or disciplinary hearings.
  2. To hear complaints from the public and external organisations regarding the Councils administration.
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**Policy Approved:** Annual Council May 2020

**Review Body:** Finance & Governance Committee recommendation to Council.

**Review Period:** Annually

**Next Review:** F&G (March 2021) / Annual Council (May 2021)