

## **ABERGAVENNY TOWN COUNCIL**

### **DELEGATION TO COMMITTEES AND SUB-COMMITTEES**

#### **Council**

The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations for the Council's consideration.

- a) Approval of the budget and setting the precept
- b) Approval of the Annual Return and Audit of Accounts
- c) Approval of IRPW recommendations
- d) Authorisation of borrowing
- e) The power of incurring capital expenditure not specifically included in the Council's annual budget
- f) Adopting or changing all policies including Standing Orders, Financial Regulations and the Scheme of Delegation
- g) Monitoring and implementation of the 'A More Responsive Town Council' actions from the Town Council's Action Plan
- h) To review the progress against the Strategy & Action Plan
- i) Approval of the Annual Report
- j) Approval of the annual PSB Wellbeing report
- k) Making of orders under any statutory powers
- l) Making, amending or revoking by-laws
- m) Filling of vacancies occurring on any Sub-Committee of the Council during the year
- n) The appointment to or co-option on a Committee or Sub-Committee of a person (on a strictly non-voting basis) who is not a member of the Council or the Committee
- o) Appointing or nominating Council representatives to outside bodies
- p) Matters of principle or policy
- q) Agreement to take on new, including devolved services, subject in all cases to a fully costed business plan and with a recommendation from Policy & Resources Committee
- r) Nomination or appointment of representatives of the Council on matters affecting the Town, excluding matters specific to a Committee
- s) The appointment or dismissal of the Town Clerk, through the establishment of the appropriate Recruitment or Grievance/Disciplinary Panel.
- t) Dates of meetings
- u) Prosecution or defence in a court of law other than an Employment Tribunal
- v) All other matters which must, by law, be reserved to the full Council

#### **Delegation to Committees**

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. The delegated decision making by Committees MUST be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget where sufficient budgetary provision exists or can be vired from within the approved budget of the Committee concerned. Where matters are delegated to the Committee, so far as is legally permissible, decisions are deemed the acts and proceedings of the Council.

The Council may at any time, following resolution, revoke any delegated authority, without prejudice to executive action already taken.

Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Council.

The Council and each Committee is authorised to establish sub-Committees and working groups and to appoint advisers as and when necessary to assist in its work. The work of a working group will be decided upon at the time it is formed by means of a Minute detailing the terms of reference. Each working group will report back with recommendations to the Council or Committee that formed it.

### **Policy & Resources Committee**

The Policy & Resources Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- a) Approval of its Minutes and the minutes of the Service Delivery sub-committee as true and correct records
- b) Ensuring the Annual Return (statement of accounts) is completed in accordance with requirements and recommend to Council accordingly
- c) All other matters relating to Finance (excluding setting or precept or borrowing or approval of unbudgeted expenditure) and banking arrangements
- d) Budget monitoring, taking action where required to vire unspent provision to ensure that the overall budget strategy is maintained
- e) Approval of expenditure on items within the Committee's area of responsibility and included in the approved Council budget up to the amount specified in the budget
- f) Future partnership agreements and monitoring of existing partnership agreements
- g) All matters relating to internal and external audit. To ensure that an adequate and effective system of internal controls is in place to secure the integrity of finances and any other information, including the effective systems of risk management, and consideration of and action on all reports emanating from the internal and external auditors
- h) To ensure the preservation of probity and good financial and other parties within the Council, including accountability for debt monitoring and recovery

- i) Approve appropriate insurance cover
- j) Approval of risk register
- k) Grants, Sponsorship and Donations
- l) Maintenance of a fixed asset registers and safe custody and upkeep of all assets and objects of interest or value in the ownership or custodianship of the Council
- m) The maintenance and safe custody of the civic regalia and robes
- n) Council administration and policy
- o) To identify and prepare new policies and to review existing policies
- p) Management of any tenancy agreements
- q) To make recommendations to Council on the review of Council's Financial Regulations, Standing Orders, Scheme of Delegation and Council policies
- r) To make recommendations to Council on the budgets of the Committees
- s) All matters relating to Personnel/Human Resources, with any proposed changes to the staff structure to be subject to recommendation to Council
- t) Dealing with terms and conditions of service and pension of the Town Council's staff.
- u) Annual review of salaries
- v) Any other matter which may be delegated to it by the Council from time to time

### **Service Delivery Sub Committee**

The Service Delivery Sub Committee shall make recommendations to the Policy & Resources Committee in the following matters:

- a) Annual Review of contracts
- b) Changes to existing contractual arrangements for delivering services in the town
- c) To make recommendations on the review of Council's Financial Regulations, Standing Orders, Scheme of Delegation and Council policies
- d) To consider new arrangements for service delivery as identified by Council and other Committees

### **People & Communities Committee**

The People & Communities Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- a) Approval of its Minutes as true and correct record
- b) Civic and Community activities organised by the Council
- c) Approval of expenditure on items within the Committee's area of responsibility and included in the approved Council budget up to the amount specified in the budget

- d) To be the lead Committee in respect of all actions within the Children & Young People and Challenges of Demographic Change tables of the Council's Action Plan and prepare progress reports for Council as appropriate
- e) Co-ordination of any town council input into Council involvement in events organised by third parties including twinning arrangements
- f) Preparation of budget monitoring reports as determined by Policy & Resources Committee
- g) Preparation of a proposal to Policy & Resources Committee for the following year's budget based on evidence of potential spend and need
- h) To prepare a response to all relevant consultations

### **Environment Committee**

The Environment Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- a) Approval of its Minutes as true and correct record
- b) Approval of expenditure on items within the Committee's area of responsibility and included in the approved Council budget up to the amount specified in the budget
- c) To be the lead Committee in respect of all actions within the Protect & Enhance the Environment and Economically Thriving Town tables of the Council's Action Plan and prepare progress reports for Council as appropriate
- d) Co-ordination of any town council initiative in relation to
  - Abergavenny in Bloom
  - Refill Abergavenny
  - Green Infrastructure Strategy promoted by MCC
- e) Encourage and support community engagement in the delivery of actions
- f) To make observation on all planning, treeworks, highways, public rights of way, highways, licensing applications and submit comments to the appropriate authority.
- g) To arrange meetings with residents, developers or planning officers to assist with the formulation of those observations
- h) To identify, comment upon and refer to the relevant authority any matters considered to be in breach of planning permission
- i) Street naming
- j) To respond to all relevant external consultations and take part in any discussions which would result in changes to the LDP, SPGs etc
- k) Preparation of budget monitoring reports as determined by Policy & Resources Committee
- l) Preparation of a proposal to Policy & Resources Committee for the following year's budget based on evidence of potential spend and need

- m) Any other matter which may be delegated to it by the Council from time to time

### **Complaints Panel**

Council has granted the necessary delegated decision making powers to the Complaints Panel in relation to complaints about council administration and procedures.

The Complaints Panel will consist of the Mayor, another councillor and an independent person. Members are appointed to the Complaints Panel at the May meeting of the Council. Meetings will be called on an ad hoc basis as necessary.

No delegated financial powers

### **Recruitment Panel**

Council will grant the necessary delegated decision making powers to the Recruitment Panel for the recruitment of the Town Clerk and RFO.

The Panel shall consist of five Councillors, who are appointed at the May meeting of the Council. Meetings will be called on an ad hoc basis as required, called by the Town Clerk.

No delegated financial powers

### **Grievance & Disciplinary Panel**

Council has granted the necessary delegated decision-making powers to the Grievance & Disciplinary Panel in relation to staff grievance and disciplinary matters.

The Panel shall consist of five Councillors, who are appointed at the May meeting of the Council. Meetings will be called on an ad hoc basis as required, called by the Town Clerk and with notice given to the relevant employee. A minute taker will be present throughout the proceedings. The Panel will follow the procedure set out in the Town Council's Grievance & Disciplinary Policy.

No delegated financial powers

### **Urgent Matters**

In the event of any matters arising which requires an urgent decision the Town Clerk will consult with the Mayor and Deputy Mayor (and also with the Chair and Vice-Chair of the relevant Committee) before acting on behalf of the Council in respect of the particular matter under consideration.

Before the Town Clerk exercises the delegated powers granted by the above paragraph, those Members consulted shall consider whether the matter is of

sufficient interest to justify the summoning of an extra meeting of either Council or the appropriate Committee.

## **Delegation to Officers**

### **Responsible Financial Officer**

The Town Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Town Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

### **Town Clerk (Proper Officer)**

The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- a) Receive declarations of acceptance of office
- b) Retain a copy of every Councillor's register of interest
- c) Receive and retain plans and documents
- d) Sign notices and other documents on behalf of the Council
- e) Receive and retain copies of by-laws
- f) Sign summonses to attend meetings of the Council
- g) Keep proper records for all meetings
- h) Alter the date or time of a Council Committee, Working Group, Panel or Task Group meeting but, before doing so, shall consult the Mayor of the Council, or chairman of the Committee or Task Group concerned and the Leaders of all political groups on the Council about the need for the change and about convenient alternative dates and times.
- i) Decide arrangements for the closure of the Council offices in the Christmas/New Year period, subject to consultation with the Chairman and a resolution of appropriate Committee
- j) Receive from MCC Monitoring Officer any documents in relation to complaints received under the Code of Conduct and report this at the next convenient meeting of the Council

In addition, the Town Clerk has delegated authority to undertake the following matters on behalf of the Council

- a) Day to day administration of services
- b) Management of all Council staff
- c) Authorisation of regular expenditure within the agreed budget. The initial list to be approved by P&R Committee.
- d) Incur expenditure up to a maximum of £500 on any item for which provision is made in the appropriate budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Financial Regulations

- e) Negotiate and enter into contractual arrangements for performers in relation to events organised by the Town Council.
- f) Accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to the cost not exceeding the approved estimate, the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation and all the requirements of the Council's Financial Regulations being complied with.
- g) Determine the Town Council's insurance requirements on the Council's behalf and make all necessary arrangements for the Council's insurances.
- h) Authorisation to call any extra meetings of the Council or any Committee as necessary having consulted with the Mayor and/or Chair of the appropriate Committee
- i) Authorisation to respond immediately to any correspondence requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or one of its Committees
- j) Deal with matters specifically delegated by Council or Committee
- k) Oversee the appointment of employees in accordance with provisions set out below:
  - l) Town Clerk and RFO to be appointed by a recruitment panel delegated to undertake the task by Council
  - m) All other staff to be appointed by the Town Clerk and Chairman of the relevant Committee and/or Mayor
  - n) Deal with complaints in line with the Complaints Procedure
  - o) Responsible for the overall management of all budgets in accordance with Council policies
  - p) Authorised to issue press releases on any Council activity exercised in accordance with Council policy
  - q) Editorial control of the Council's website and social media presence