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**Committee:** Finance and Strategy Committee  
**Status:** Public  
**Agenda Item:** FAS/24-25/32  
**Date:** 14<sup>th</sup> November 2024

- 1 **Purpose.** To review the revised version of the Scheme of Delegation and Terms of Reference.
- 2 **Decision Required.** Councillors are asked to recommend to Full Council that they resolve to adopt the revised scheme.
- 3 **Background.** The Scheme of Delegation was approved at the Annual Council meeting in May 2024. It was noted at the time of approval that the scheme would need to be revised following adoption of the new model Financial Regulations.

The Financial Regulations were adopted by Full Council on the 21<sup>st</sup> October 2024. The Scheme of Delegation and Terms of Reference have been revised so that they match the Financial Regulations.

- 4 **Amendments.** All amendments are highlighted in yellow and include changes to the value of expenditure that officers can authorise within agreed budgets and in an emergency. These changes match the values in the Financial Regulations.

The Finance and Strategy Committee (F&S) Terms of Reference has been amended at 23 to indicate that F&S will select an internal auditor and make a recommendation to Full Council.

The Staffing Committee Terms of Reference has been amended at 5 to match the Financial Regulations in regard to the timing of decisions about the staffing budget.



**Scheme Of Delegation  
&  
Committee Terms Of Reference  
Relating to the Proceedings and Business  
Of  
Looe Town Council**

	<b>Date</b>	<b>Minute</b>
<b>Adopted</b>	May 2024	Annual Meeting minute 12
<b>Version 2</b>	November 2024	
<b>Date of Next Review</b>	May 2025	

## 1 Introduction

The Scheme of Delegation covers such matters as have been delegated in accordance with the Local Government Act 1972 s101 to Committees, Sub-Committees, Officers or other local authorities.

The scheme sets out how the Council delegates some of its powers and duties to its officers and committees. These delegations are necessary for the effective day to day running of the Council and to prevent every decision having to come to a Full Council meeting for agreement.

All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.

## 2 Proper Officer

- 2.1 The Town Clerk shall be the Proper Officer of the Council. In addition to any delegations arising from Standing Orders, Financial Regulations and the Job Description, the Clerk to the Council will be authorised to:
- 2.1.1 Sign on behalf of the Council any document necessary to give effect to any decision of the Council.
  - 2.1.2 Institute and appear in any legal proceedings authorised by the Council.
  - 2.1.3 Appear or make representation to any tribunal or public inquiry into any matter which the Council has an interest.
  - 2.1.4 Receive declarations of acceptance of office.
  - 2.1.5 Receive and record notices from Councillors disclosing interests.
  - 2.1.6 Receive and retain plans and documents.
  - 2.1.7 Sign, or where appropriate, have sealed on behalf of the Town Council, any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Council.
  - 2.1.8 Alter the date of a Council Committee/Working Group, but, before doing so, shall consult the Mayor, or Chairman of the Committee or Working Group concerned about the need for the change and about convenient alternative dates and times.
  - 2.1.9 Manage all the Council services including the library and community hub, public conveniences, websites and social media accounts.
  - 2.1.10 Be the responsible officer for the coordination and operation of the legal requirements under the Data Protection Act and the Freedom of Information Act.
  - 2.1.11 To apply for planning consent for the carrying out of development by the Council.
  - 2.1.12 To respond to consultations on planning applications subject to the comments of the Planning Committee.

- 2.1.13 To respond to complaints under the Council's complaints procedure.
- 2.1.14 To manage, monitor and review the Council's internal control procedures.
- 2.1.15 To manage, monitor and review the Council's Risk Management Strategy.
- 2.1.16 Prepare statements for the press where the known policy of the council exists.
- 2.1.17 Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)
- 2.1.18 Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office

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

2.2.1 Individual purchases within an agreed budget for that type of expenditure may be authorised by

The Clerk for any items below £5,000 excluding VAT.

The Clerk in consultation with the relevant committee chair for items between £5,000 and £10,000 excluding VAT

2.2.2 Incur expenditure on behalf of the Council which is necessary to procure services, carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £6,000. The Clerk shall report the action to the council as soon as practicable thereafter.

2.2.4 Act as RFO in the absence of the RFO.

### 3 Financial Matters

3.1 The Town Council employs a Responsible Financial Officer. This role is a requirement of the Local Government Act 1972 section 151.

3.2 In addition to any delegations arising from Standing Orders and Financial Regulations, Job Description and any requirements arising from the Governance and Accountability framework, the RFO will be authorised to:

3.2.1 Prepare VAT reclaim on behalf of the council.

3.2.2 Issue invoices on behalf of the council.

3.2.3 Pay all accounts properly incurred in accordance with the Council's payment's procedure.

3.2.4 Pay all salaries incurred in accordance with the Council's salary payment procedure.

3.2.5 Pay all subscriptions to organisations to which the Council belongs.

3.2.6 Negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate.

3.2.7 Carry out virements of sums between cost centres in accordance with the Council's Financial Regulations.

3.2.8 Authorise action for the recovery of debts.

- 3.2.9 Write-off debts up to the level set by the Council.
- 3.2.10 Maintain a Register of Assets and Inventory of Equipment.
- 3.2.11 Determine the Town Council's insurance requirements on the Council's behalf.
- 3.2.12 Make all necessary arrangements for the Council's insurances.
- 3.2.13 Carry out duties in accordance with the Financial Regulations of Looe Town Council and the legislation and approved Audit and Accounting regulations in place at any time.
- 3.2.14 Prepare a draft budget for consideration by Finance & Strategy Committee/Full Council.
- 3.2.15 Prepare the final accounts for each financial year.
- 3.2.16 Individual purchases within an agreed budget for that type of expenditure may be authorised by
- The RFO for any items below £5,000 excluding VAT.
  - The RFO in consultation with the relevant committee chair for items between £5,000 and £10,000 excluding VAT
- 3.2.17 Incur expenditure on behalf of the Council which is necessary to procure services, carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £6,000. The Clerk shall report the action to the council as soon as practicable thereafter.
- 3.3 The RFO may delegate some of these duties and powers to other Officers within the Council as per the Authorised Signatories list in Appendix 1, or as otherwise required following prior approval by Council or the relevant Committee.

## 4 Assets

- 4.1 The Deputy Clerk will act in accordance with any delegations arising from Standing Orders, Financial Regulations and the Job Description. They will have authority to manage the land and property of the Council including:
- 4.1.1 Agreeing the terms of any lease, licence, conveyance or transfer.
- 4.1.2 The granting or refusal of the Council's consent under the terms of any lease.
- 4.1.3 Authorise the installation of publicly requested benches or other memorials.
- 4.1.4 In consultation with the relevant committee to introduce, set and vary as necessary fees and charges for the delivery of Council services and for the issue of any license, registration, consent or approval.
- 4.1.5 Act as Proper Officer in the absence of the Clerk.
- 4.1.6 Individual purchases within an agreed budget for that type of expenditure may be authorised by
- The Deputy Clerk for any items below £5,000 excluding VAT.
  - The Deputy Clerk in consultation with the relevant committee chair for items between £5,000 and £10,000 excluding VAT
- 4.1.7 Incur expenditure on behalf of the Council which is necessary to procure services, carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £6,000. The Clerk shall report the action to the council as soon as practicable thereafter.

## **5. Staffing Matters**

- 5.1 The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget including:
- 5.1.2 Approve and authorise annual leave entitlement and other absence as appropriate.
  - 5.1.3 Recruit staff, including temporary, when required.
  - 5.1.4 Preparation of the job description and person specification, placing the advertisement and short-listing applicants.
  - 5.1.5 Management of staff performance.
  - 5.1.6 Control of discipline and performance, including the power of suspension and dismissal.
  - 5.1.7 Exercise of disciplinary and grievance procedures in accordance with the Council's procedures.
  - 5.1.8 Approve and authorise reasonable overtime as required.
  - 5.1.9 Implement and monitor the arrangements for annual leave, flexi time, sickness absence, maternity and paternity leave in accordance with the Council's policies.
  - 5.1.10 Authorise training in line with the Council's policies.
  - 5.1.11 Terminate employment during probation.
  - 5.1.12 Authorise the provision of uniforms or protective clothing.
  - 5.1.13 Commission legal and professional advice on staffing matters.

## **6 Urgency**

- 6.1 The Town Clerk is authorised to act on behalf of the Council in cases of urgency or emergency.
- 6.2 Any such action to be reported to the next meeting of the Council or relevant Committee. The Mayor, Deputy Mayor and Chairs of Committee are to be consulted where possible before such action is taken.

## **7 Emergency Planning**

- 7.1 The Town Clerk is authorised to implement the Council's Emergency Plan and to incur any necessary expenditure in accordance with the Council's Standing Orders and Financial Regulations.

- 7.2 Any such action to be reported to the next meeting of the Council or relevant Committee. The Mayor, Deputy Mayor and Chairs of Committee are to be consulted where possible before such action is taken.

## **8 Procedural**

- 8.1 The Town Clerk can:

8.1.2 Serve requests for information as to ownership and occupation and other interests in land for the purposes of any function under their control.

8.1.3 Appoint consultants or other professionals to carry out any function and provide any service under their control, subject to Standing Orders and Financial Regulations.

## **9 Health and Safety at Work Act 1974**

- 9.1 The Town Clerk is authorised to oversee the discharge of the Councils' responsibilities under the Act.

### Appendix 1: Authorised Officers Signatory List

	Debit Card <sup>1</sup>	Invoices <sup>2</sup>	Salaries <sup>3</sup>	Purchase Orders <sup>4</sup>	Contracts <sup>5</sup>	Timesheets	Amazon account <sup>6</sup>	Postage
Town Clerk	x	x	x	x	x	x	x	X
Deputy Clerk	x	x	x	x		x	x	X
RFO		x	x	x	x	x	X	
Library and Community Hub Supervisor (as directed by Clerk/Deputy Clerk)				x				
Cleaning & Maintenance Supervisor (as directed by Deputy Clerk)				x		x		
Content and Communications Officer (as directed by Town Clerk/Deputy Clerk)				x				
Admin Planning & Finance (as directed by Town Clerk/Deputy Clerk/RFO)			x	X		X	X	X
Admin Events & Meetings (as directed by Town Clerk/Deputy Clerk)				x		x	X	x

<sup>1</sup> In accordance with the Council's debit/charge card procedure

<sup>2</sup> Invoices can only be authorised in accordance with the Council's Standing Orders and Financial Regulations. Payment of invoices should be in accordance with the invoice payment procedure.

<sup>3</sup> Salary payments will only be paid in accordance with the salary payment procedure.

<sup>4</sup> Purchase orders can only be authorised in accordance with the Council's Standing Orders and Financial Regulations

<sup>5</sup> Contracts can only be authorized in accordance with the Council's Standing Orders and Financial Regulations

<sup>6</sup> Purchase amounts must be in accordance with authorised expenditure limits and within budget.



**Committee Terms of Reference**

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## **TERMS OF REFERENCE – Services, Asset and Community Committee**

Full Standing Committee

**Number of Councillors:** The total number of councillors on the Committee shall be set at 9.

**Membership** The Committee shall consist of a Chair, Vice Chair and elected committee members as determined by the Full Council.

The Mayor and Deputy Mayor ex officio are voting members of every committee.

Other members may be co-opted for a single meeting on the day of the meeting by resolution of the Committee.

Non designated committee members who are Looe Town Councillors shall be free to join meetings as and when they wish and may participate in the meeting at the discretion on the Committee Chair but not vote unless coopted.

**Quorum:** 1/3 of members but not less than 3

**Notice requirement:** at least 3 clear days

**Public participation:** yes

**Officers:** Deputy Clerk, Admin Minutes and Events

### **Main purposes and roles**

- To scrutinise and oversee all aspects of the effective management, security and maintenance of all Looe Town Council's property.
- To manage and maintain all assets owned, leased or administered by the Council.
- To encourage and oversee all activity designed to improve the social wellbeing of the community and the cultural life of Looe.
- To deliver a Library, Information and Advice Service and refer people to other agencies as needed.
- To promote Looe as a visitor destination through the Visit Looe website, social media and collaboration with local businesses.

## **Responsibilities & delegated matters**

### **1 Vision, Mission, Values & Action Plan**

To conduct all Committee business adhering to the Council's agreed Vision, Mission and Values (including the Nolan Principles of Public Life) and to the priorities and schedule in the agreed Action Plan.

### **2 Health, safety and welfare**

To ensure the health and safety of all people who work, visit or use any of the Council's properties or facilities.

To ensure the health, safety and welfare of everyone participating in Council-run events and mitigate any risks without delay.

### **3 Training and development**

To make recommendations or requests to the Staffing Committee to provide training and development activities for Councillors and staff to support the remit of the Committee.

### **4 Policy, procedures & standards**

To review annually policies, procedures and standards for the delivery of the services that are under the remit the Committee and to evaluate performance over the past year.

### **5 Budget planning**

To prepare and submit to the Finance and Strategy Committee budget proposals in respect of all services, assets and capital expenditure within the Committee's remit not later than 30 October each year.

### **6 Tenders**

Where tenders are not exempted by the Finance Committee, to secure tenders as required, review them and select preferred provider. If work is outside the remit of the Committee or is not in budget, then to make recommendations to Full Council.

### **7 Monitoring & authorisation of expenditure**

To authorise and monitor all expenditure against budget. Any risk of expenditure over budget must be reported immediately to the RFO.

See also Authority section below.

## **8 Development & monitoring of income**

To maximise income from all sources within the Committee's remit, alerting the RFO to any likely shortfall as early as possible.

To include explanations of income variances in a report to each Full Council meeting.

## **9 Sub-committees and working groups**

To consider recommendations of sub-committees, working groups etc under the control of the Committee

## **10 Local needs and partnerships**

To understand local needs and demands and to develop partnerships and relationships with other agencies and organisations that facilitate the delivery of the Committee's purposes and roles.

In particular to cooperate with other agencies on;

- issues that affect the town including policing, public safety and security, traffic, litter and waste.
- developing the visitor economy, business collaboration, community events, new or modified services
- working together to help build a more cohesive and resilient community in response to changing social and economic needs.

## **11 Leases and licences**

To draft, negotiate with the lessee/licensee terms and conditions of leases/licences for all Town Council property and land and submit recommendations for consideration by Full Council. To consider the renewal of leasing/licensing agreements and make recommendations to the Finance Committee if it is not felt appropriate to continue such an agreement.

## **12 Security**

To consider the securing and security of all Town Council property and land and make recommendations to the appropriate Committee or the Full Council

## **13 Asset register**

To maintain the register of all Town Council property and ensure and maintain its registered title at the Land Registry

#### **14 Property maintenance**

To maintain the exterior, interior and structural fabric of all Town Council buildings/structures

#### **15 Fees and charges**

To review the level of fees and charges of the Committee's functions and making appropriate recommendations to the Finance Committee

#### **16 Agency agreements for devolved services**

To secure agency agreements for the delegation of services from Cornwall Council which fall within the remit of the Committee and have been negotiated and agreed by Full Council

#### **17 Developing the visitor economy**

Through the Visit Looe website and social media to further raise the profile of Looe as a year-round visitor destination.

To support local hospitality and leisure businesses by engaging them with the Visit Looe website.

To facilitate and promote off-season events to attract visitors in quieter months.

#### **18 Publicity and promotion**

To lead all aspects of the Council's work on publicity and promotion, raising awareness of the Council's work in the local community, correcting falsehoods and spreading good news.

#### **19 Library and Community Hub development**

To support the continuing growth and success of the library service and of the whole Hub as a community resource, meeting and information centre

with long-term sustainability.

#### **20 Community events**

To facilitate and encourage third parties to hold community events throughout the year.

#### **21 Social and economic needs**

To research and understand the social and economic pressures on residents and the community overall and to ensure that up to date information and advice is available online, on social media and at the Community Hub.

To ensure that staff are regularly briefed on community challenges and that they share learning from enquiries they receive.

To ensure that staff receive regular formal training in the provision of information and advice.

To support the social initiatives of Boundless Trust and use the Council's spaces and facilities to alleviate hardship where practicable.

## **22 Additional matters**

To consider such matters as may be additionally delegated by the Council and to make recommendations to Full Council on all matters within its remit and not already within approved policy or Action Plan.

## **23 Scope**

The Looe community

Other town organisations

Users of the Library

Visitors to Looe

Visit Looe, business development and social media staff and agencies.

## **24 Authority**

The Committee has authority delegated from Full Council to pursue and act on the matters detailed in its terms of reference with some proposals requiring ratification by Full Council (Officers to advise).

Matters considered by the Committee outside its terms of reference must not be acted on and must be referred to Full Council or the relevant Committee.

Any proposals for change to policies, practices, standards or services under the remit of the Committee must be referred to Full Council.

The Committee may authorise expenditure only from its own budget previously approved by Full Council. The Committee cannot commit or spend from budgets under the remit of other Committees, not approved or from future years. The virement of funds from within the Committee's total

budget is permissible but must be notified to the RFO.

In cases where more than one Committee is involved in linked expenditure then each involved Committee must agree to the detail, ensure funds are available and agree the plan with the RFO.

Any other proposals for expenditure, including the use of reserves, must first be referred to the Finance Committee and may need to be ratified by Full Council.

Any new funding in addition to established income shall be recommended to Full Council for consideration before any agreement is entered into with the funding source.

## **25 Meeting arrangements**

The Committee shall meet in person with meetings scheduled in advance for the whole Council year (May to April) and on an ad hoc basis when required by the Chair.

Dates of scheduled formal meetings are published on the Council's website for the Council year and will not be changed except in extreme circumstances.

An agenda will be provided for all formal committee meetings and minutes will be prepared and circulated as soon as practicable after the meeting.

Informal briefings and discussions may be arranged, in person or online, but these do not constitute formal meetings and cannot make resolutions.

## **26 Reporting**

The Committee Chair will provide a brief written report of activity at the next Full Council meeting.

The Chair shall present an annual report to Full Council demonstrating progress against the agreed Action Plan.

## **TERMS OF REFERENCE – Finance and Strategy Committee**

Full Standing Committee

**Number of Councillors:** The total number of councillors on the Committee shall be set at 9.

**Membership** The Committee shall consist of a Chair, Vice Chair and elected committee members as determined by the Full Council.

The Mayor and Deputy Mayor ex officio are voting members of every committee.

Other members may be co-opted for a single meeting on the day of the meeting by resolution of the Committee.

Non designated committee members who are Looe Town Councillors shall be free to join meetings as and when they wish and may participate in the meeting at the discretion on the Committee Chair but not vote unless coopted.

**Quorum:** 1/3 of members but not less than 3

**Notice requirement:** at least 3 clear days

**Public participation:** yes

**Officers:** Town Clerk, RFO, Admin Minutes and Events

### **Main purposes and roles**

- To propose to Full Council the broad vision and direction of Looe Town Council and identify specific outcomes and goals that enable the Council to deliver that vision.
- To establish and regularly review the Council's priorities and with Councillors and staff formulate an Action Plan to guide the Council's work and monitor progress against the Plan.
- To support Looe Town Council's strategy and Action Plan and ensure the stewardship of the Council finances, investments and sustainability, keeping Full Council informed on all aspects of financial performance and ensuring that the Council meets all its financial, regulatory, compliance and other finance related responsibilities.



## **Responsibilities & delegated matters**

### **1 Vision, Mission, Values & Action Plan**

To conduct all Committee business adhering to the Council's agreed Vision, Mission and Values (including the Nolan Principles of Public Life) and to the priorities and scheduled in the agreed Action Plan.

### **2 Health, safety and welfare**

To ensure that finance is promptly available to remedy any health, safety or welfare matters for which the Council is responsible that place the public, employees or Councillors at risk.

To ensure that the Council's policies and Action Plan give high priority to all issues affecting or risking health, safety and welfare of all stakeholders.

To agree robust policies for the protection of employees and Councillors from vexatious complaints.

### **3 Training and development**

To make recommendations or requests to the Staffing Committee to provide training and development activities for Councillors and staff to support the remit of the Committee.

### **4 Policy, procedures & standards**

To lead the annual review of all policies, procedures and standards for all Council activities and to evaluate performance over the past year.

To review annually policies, procedures and standards for the financial services that are the Committee's responsibility and to evaluate performance over the past year.

### **5 Budget planning**

To alert the Committee by 30 October each year to any exceptional costs of the Committee's work that are anticipated for the next financial year and to ensure budget provision is made.

To lead and coordinate the annual budgeting process, ensuring that Committees submit their proposals on time.

To prepare an annual budget that meets the criteria determined by Full Council (e.g., precept level, planned surplus or deficit, major projects, perceived risks) and to recommend it to Full Council.

To present the required information for setting the precept to Cornwall Council on time.

## **6 Tenders**

Where tenders are not exempted by the Committee, to secure tenders as required, review them and select preferred provider. If work is outside the remit of the Committee or is not in budget, then to make recommendations to Full Council.

## **7 Monitoring & authorisation of expenditure**

To monitor all Council expenditure against budget and report significant variances to Full Council.

To prepare forecasts of the total annual expenditure to maintain control and assist with future planning. See also Authority section below.

## **8 Development & monitoring of income**

To monitor all income against budget and report significant variances to Full Council.

To prepare forecasts of the total annual income to maintain control and assist with future planning.

To research and pursue new sources of funding to support the Action Plan.

## **9 Sub-committees and working groups**

To consider recommendations of sub-committees, working groups etc under the control of the Committee

## **10 Local needs and partnerships**

To include budgetary provision for grants to local organisations and incentives to town-wide cooperation and to recommend such payments to Full Council.

To understand local needs and demands and to develop partnerships and relationships with other agencies and organisations that facilitate the delivery of the Committee's purposes and roles.

In particular to work to encourage the formation and cohesion of town-wide collaborative groups in the interests of a unified strategy for Looe.

## **11 Action Plan**

To monitor the Action Plan continuously, ensuring that Committees and staff fulfil the Plan and have the support and resources they need to do so.

With Officers, to keep the Plan under constant review, adjusting it in the light of events and maintaining it as the primary guide for all the Council's work.

## **12 Business case reviews**

To review business cases for all new projects and, in conjunction with the relevant Committee, recommend their Action Plan priority to Council.

## **13 Statutory obligations oversight**

To advise the Council in relation to matters of legislation, policy and procedure and to ensure that the Council is in full compliance with any statutory obligations at all times

## **14 Committee role alignment**

To ensure that there is alignment between all Council Committees in delivering the overall Council vision and Action Plan through committee terms of reference and Action Plan role allocation.

## **15 Annual report**

To draft the Annual Report.

## **16 Reserves allocation**

To recommend to Full Council in advance of each financial year the allocation of the Council's financial reserves for the year ahead with 50% of gross turnover allocated to overall contingency, ring-fenced items clearly identified and other earmarking at the Committee's discretion.

## **17 Accounting records**

To monitor the keeping of accounting records and systems of internal controls

## **18 Financial risks**

To review the assessment and management of financial risks faced by the Council

## **19 Exemptions from tendering**

To assess whether contracts due to special circumstances are exempt from a tendering process or procurement exercise

### **21 Financial regulations annual review**

To review the financial regulations which shall be reviewed regularly and at least annually for fitness of purpose.

### **22 Financial advice**

To advise the Council on financial matters, particularly the financial implications and funding of any capital or revenue projects

### **23 Audit**

To select an internal auditor and make a recommendation to Full Council

To receive Auditors' reports and to make recommendations regarding any matters arising from such reports

### **24 Payment of accounts**

To approve payments of accounts in accordance with the Standing Orders

### **25 Resources management**

To control the management of the Council's financial resources including bank accounts and investments

### **26 Debt write-off**

To control the collection of income and the write-off of irrecoverable debts to a limit as agreed in the Council's financial regulations with any sum greater than this requiring Full Council agreement

### **27 Archives and treasures**

To maintain any Council archives and civic treasures.

## **28 Additional matters**

To consider such matters as may be additionally delegated by the Council and to make recommendations to Full Council on all matters within its remit and not already within approved policy or Action Plan.

## **29 Scope**

Looe Community

Committee Chair and members

Responsible Finance Officer

Officers with authority to commit expenditure

All other Council Committees

## **30 Authority**

The Committee has authority delegated from Full Council to pursue and act on the matters detailed in its terms of reference with some proposals requiring ratification by Full Council (Officers to advise).

Matters considered by the Committee outside its terms of reference must not be acted on and must be referred to Full Council or the relevant Committee.

Any proposals for change to policies, practices, standards or services under the remit of the Committee must be referred to Full Council.

The Committee is overall responsible to Full Council for monitoring expenditure and for ensuring that all Committees remain within budget and comply with any in-year adjustments to budget that the Finance Committee may determine, if necessary ratified by Full Council.

To consider grant applications totalling up to £1,000.

The Committee may authorise expenditure from approved budgets not under the control of any other Committee. If the Committee needs to draw on another Committee's budget, then the Chair of that Committee will be notified by the RFO.

Proposals for expenditure outside approved budgets, including the use of reserves, will be considered by the Committee and may need to be ratified by Full Council.

Any new funding in addition to established income shall be recommended to Full Council for consideration before any agreement is entered into with the funding source.

## **31 Meeting arrangements**

The Committee shall meet in person with meetings scheduled in advance for the whole Council year (May to April) and on an ad hoc basis when required by the Chair.

Dates of scheduled formal meetings are published on the Council's website for the Council year and will not be changed except in extreme circumstances.

An agenda will be provided for all formal committee meetings and minutes will be prepared and circulated as soon as practicable after the meeting.

Informal briefings and discussions may be arranged, in person or online, but these do not constitute formal meetings and cannot make resolutions.

### **32 Reporting**

The Committee Chair will provide a brief written report of activity at the next Full Council meeting.

The Chair shall present an annual report to Full Council demonstrating progress against the agreed Action Plan.

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## **TERMS OF REFERENCE - Planning Committee**

### **Full Standing Committee**

**Number of Councillors:** The total number of councillors on the Committee shall be set at 9.

**Membership** The Committee shall consist of a Chair, Vice Chair and elected committee members as determined by the Full Council.

The Mayor and Deputy Mayor ex officio are voting members of every committee.

Other members may be co-opted for a single meeting on the day of the meeting by resolution of the Committee.

Non designated committee members who are Looe Town Councillors shall be free to join meetings as and when they wish and may participate in the meeting at the discretion on the Committee Chair but not vote unless coopted.

**Quorum:** 1/3 of members but not less than 3

**Notice requirement:** at least 3 clear days

**Public participation:** yes

**Officers:** Admin Planning and Finance

### **Main purposes and roles**

- To make representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with relevant legislation.
- To fulfil other planning related functions proper to a local council.

### **Responsibilities & delegated matters**

#### **1 Vision, Mission, Values & Action Plan**

To conduct all Committee business adhering to the Council's agreed Vision, Mission and Values (including the Nolan Principles of Public Life) and to the priorities and schedule in the agreed Action Plan.

## **2 Health, safety and welfare**

To ensure the health, safety and welfare of all Councillors and staff engaged in the planning process with particular regard to safety on site visits and risks through pressure of work or public complaint.

## **3 Training and development**

To make recommendations or requests to the Staffing Committee to provide training and development activities for Councillors and staff to support the remit of the Committee.

## **4 Policy, procedures & standards**

To review annually policies, procedures and standards for the delivery of the services that are under the remit the Committee and to evaluate performance over the past year.

## **5 Budget planning**

To alert the RFO or Finance Committee by 30 October each year to any exceptional costs of the Committee's work that are anticipated for the next financial year and to ensure budget provision is made.

## **6 Tenders**

Where tenders are not exempted by the Finance Committee, to secure tenders as required, review them and select preferred provider. If work is outside the remit of the Committee or is not in budget, then to make recommendations to Full Council.

## **7 Monitoring & authorisation of expenditure**

To authorise and monitor all expenditure against budget. Any risk of expenditure over budget must be reported immediately to the RFO.

See also Authority section below.



## **8 Development & monitoring of income**

To monitor and report to the RFO likely income from the Community Infrastructure Levy, where this can be assessed, along with any other planning related income.

## **9 Sub-committees and working groups**

To consider recommendations of sub-committees, working groups etc under the control of the Committee

## **10 Local needs and partnerships**

To understand local needs and demands and to develop partnerships and relationships with other agencies and organisations that facilitate the delivery of the Committee's purposes and roles.

In particular to maintain the relevance and momentum of the Neighbourhood Development Plan and ensure comments on planning applications fully support the Plan.

## **11 Appeals against refusals**

To make representations in respect of appeals against the refusal of planning permission.

## **12 Street and house naming**

To undertake street naming under powers delegated by Cornwall Council, and to make representations regarding house naming and street[?]numbering.

## **13 Plans affecting Looe**

To consider and monitor strategic, unitary and other developmental plans, proposed listed buildings, conservation areas, tree preservation orders and building preservation orders which impact upon Looe, and the making of all appropriate representations.

## **14 Economic developments**

To offer advice from a planning perspective on economic development initiatives for the benefit of the Town and the making of recommendations on all related matters and liaison as appropriate with other agencies.

## **15 Neighbourhood planning**

To co-ordinate the Council's work in respect of Neighbourhood Planning.

### **16 Highways and other routes**

To consider all planning matters relating to highways, footpaths and bridleways, cycle routes and to make representations to other authorities regarding these matters.

### **17 Licences**

To consider and to make representations to other authorities in respect of applications for liquor, gaming and public entertainments licences.

### **18 Community engagement**

Community engagement and consultation will be considered by the Committee where it is deemed appropriate, and the necessary steps will be taken to advertise and bring to the communities attention so they can fully engage.

### **19 Other planning matters**

To make representations to the appropriate Planning Authority in respect of other planning matters not otherwise referred to in Terms of Reference above.

### **20 Additional matters**

To consider such matters as may be additionally delegated by the Council and to make recommendations to Full Council on all matters within its remit and not already within approved policy or Action Plan.

### **21 Scope**

Planning applicants

People commenting on applications

Cornwall Council Planning

Planning Committee Chair and members

Officer supporting Planning Committee

## **22 Authority**

The Committee has authority delegated from Full Council to pursue and act on the matters detailed in its terms of reference with some proposals requiring ratification by Full Council (Officers to advise).

Matters considered by the Committee outside its terms of reference must not be acted on and must be referred to Full Council or the relevant Committee.

Any proposals for change to policies, practices, standards or services under the remit of the Committee must be referred to Full Council.

The Committee may authorise expenditure only from its own budget previously approved by Full Council. The Committee cannot commit or spend from budgets under the remit of other Committees, not approved or from future years.

The virement of funds from within the Committee's total budget is permissible but must be notified to the RFO.

In cases where more than one Committee is involved in linked expenditure then each involved Committee must agree to the detail, ensure funds are available and agree the plan with the RFO.

Any other proposals for expenditure, including the use of reserves, must first be referred to the Finance Committee and may need to be ratified by Full Council.

Any new funding in addition to established income shall be recommended to Full Council for consideration before any agreement is entered into with the funding source.

## **23 Meeting arrangements**

The Committee shall meet in person with meetings scheduled in advance for the whole Council year (May to April) and on an ad hoc basis when required by the Chair.

Dates of scheduled formal meetings are published on the Council's website for the Council year and will not be changed except in extreme circumstances.

An agenda will be provided for all formal committee meetings and minutes will be prepared and circulated as soon as practicable after the meeting.

Informal briefings and discussions may be arranged, in person or online, but these do not constitute formal meetings and cannot make resolutions.

## **24 Reporting**

Approved meeting minutes will be made available on the LTC web site for public review

The Committee Chair will provide a brief written report of activity at the next Full Council meeting.

The Chair shall present an annual report to Full Council demonstrating progress against the agreed Action Plan.

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## **TERMS OF REFERENCE - Staffing Committee**

**Membership** The Committee shall consist of a Mayor, Deputy Mayor, Chairs of committees. Vice Chairs of Committees may deputise for Committee Chairs.

A Councillor will not be eligible for nomination to the Committee – or if already a member must step down – if they have been the subject of an upheld grievance or finding of a breach of the Code of Conduct by, or relating to, a member of staff during the previous 24 months.

**Quorum: 4**

**Notice requirement:** at least 3 clear days

**Public participation:** no

**Officers:** Town Clerk or Deputy Clerk (where appropriate).

### **Main purposes and roles**

To provide effective and professional management of all matters relating to the employees of Looe Town Council, delegating the day-to-day line management to the Town Clerk and management team.

### **Responsibilities & delegated matters**

#### **1 Vision, Mission, Values & Action Plan**

To conduct all Committee business adhering to the Council's agreed Vision, Mission and Values (including the Nolan Principles of Public Life) and to the priorities and schedule in the agreed Action Plan.

#### **2 Health, safety and welfare**

To oversee all aspects of health, safety and welfare at work in the interests of employees, Councillors and the Council.

To ensure that any matters of concern are dealt with swiftly and fully by relevant Committees and staff.

### **3 Training and development**

To ensure that the Council provides training and development activities for Councillors and staff in response to recommendations and requests from other Committees and to support the remit of the Staffing Committee.

### **4 Tenders**

Where tenders are not exempted by the Finance Committee, to secure tenders as required, review them and select preferred provider. If work is outside the remit of the Committee or is not in budget, then to make recommendations to Full Council.

### **5 Budgets, Monitoring & authorisation of expenditure**

Budgets for salaries and wages, including employer contributions will be reviewed each November. The Staffing Committee will provide Full Council with a summary of recommendations.

To authorise and monitor all expenditure against budget. Any risk of expenditure over budget must be reported immediately to the RFO.

See also Authority section below.

### **7 Sub-committees and working groups**

To consider recommendations of sub-committees, working groups etc under the control of the Committee

### **8 Employment policies**

To review and implement all employment policies in consultation with members of staff

### **9 Staffing levels**

To maintain staffing levels to fulfil the Action Plan, reviewing workloads periodically and making any recommendations for change (including promotion, re-grading, redundancies, restructuring and fixed term contracts) to Full Council.

## **10 Recruitment**

To approve and oversee the recruitment process of the Town Clerk and other senior staff and, where required, assist the management team in the recruitment of new staff.

To appoint recruitment panels and to grant them the authority to make offers of employment. On making an offer of employment panels shall offer no more than the base salary agreed for the job plus 10% without reference to Full Council.

## **11 Attendance and leave**

To receive reports from the Clerk regarding staff attendance, short- and long-term sickness and return to work interviews, all other leave (annual, parental, adoption, compassionate, TOIL and flexible).

## **12 Terms and conditions of employment**

To consider and implement any changes which are required to comply with legislation and Terms and Conditions of Service as laid down by the National Joint Council (Green Book) and recommended by the National Association of Local Councils and Society of Local Council Clerks.

To approve job descriptions, person specifications and contracts of employment.

## **13 Confidentiality and data protection**

To maintain confidentiality over all staffing matters as required under the General Data Protection Act 2018 and the Code of Conduct

## **14 Councillor and employee relations**

To deal with all matters relating to councillor/staff conduct and relations

## **15 Staff Appraisals**

To ensure that annual appraisals for all staff are carried out, agree any actions, outcomes, training and development needs and ensure they are carried out.

The annual appraisal of the Town Clerk will be undertaken by the Chair and Vice Chair of Council and that of the RFO will be undertaken by the Town Clerk and the Chair of the Finance Committee.

## **16 Grievance & disciplinary procedure**

To receive and consider any complaints made under the Council's Grievance and Disciplinary Procedure and take whatever action is deemed necessary.

To seek and pay for outside professional assistance if required.

To recruit volunteers from other Town/Parish Councils should there be insufficient members of the Looe Town Council without prior knowledge of the matter or otherwise available to undertake any aspect of the process.

## **17 Additional matters**

To consider such matters as may be additionally delegated by the Council and to make recommendations to Full Council on all matters within its remit and not already within approved policy or Action Plan.

## **18 Scope**

All employees

Any recognised trade unions

Any party recognised as representing employees

## **19 Authority**

The Committee has authority delegated from Full Council to pursue and act on the matters detailed in its terms of reference with some proposals requiring ratification by Full Council (Officers to advise).

Matters considered by the Committee outside its terms of reference must not be acted on and must be referred to Full Council or the relevant Committee.

Any proposals for change to policies, practices, standards or services under the remit of the Committee must be referred to Full Council.

The Committee may authorise expenditure only from its own budget previously approved by Full Council. The Committee cannot commit or spend from budgets under the remit of other Committees, not approved or from future years. The virement of funds from within the Committee's total budget is permissible but must be notified to the RFO.



In cases where more than one Committee is involved in linked expenditure then each involved Committee must agree to the detail, ensure funds are available and agree the plan with the RFO.

Any other proposals for expenditure, including the use of reserves, must first be referred to the Finance Committee and may need to be ratified by Full Council.

## **20 Meeting arrangements**

The Committee shall meet in person when required.

An agenda will be provided for all formal committee meetings and minutes will be prepared and circulated as soon as practicable after the meeting.

Calling Meetings: A meeting of the Staffing Committee can be convened by the Proper Officer, or the Mayor as and when necessary. The Mayor may make alternative arrangements to undertake this task or to assist him/her in undertaking the work but must ensure that a conflict of interest is not thereby created.

## **21 Reporting**

Approved meeting minutes will be made available on the LTC web site for public review.

If it is not acceptable or practicable for the minutes to be taken by an Officer, then a member shall take the minutes provided the Chair is satisfied that no conflict of interest would thereby be created.

The Committee Chair will provide a brief written report of activity at the next Full Council meeting, not disclosing any personal issues or data.

## **Appeals Panel**

**Number of Councillors:** The total number of councillors on the panel shall be set at 4.

**Membership** Mayor, Deputy Mayor, Vice Chairs/Chairs of Committee who did not participate in the original decision of the staffing committee. Any councillor not appointed to the Staffing Committee may act as substitute at the request of a panel member.

**Quorum:** 1/3 of members but not less than 3

**Notice requirement:** at least 3 clear days

**Public participation:** no.

**Officers:** Clerk to the Council or Deputy Clerk (where appropriate).

### **Terms of Reference**

The panel will consider any appeal including those relating to employee grievance or disciplinary outcomes.

### **Delegation(s)**

- i. To uphold or dismiss any appeals referred to the panel.
- ii. Convene any disciplinary appeal as a re-hearing of facts if the grounds for appeal make it appropriate to do so.
- iii. Vary any disciplinary sanction however any increase in disciplinary penalty is precluded from consideration.
- iv. Vary any grievance outcome however any variance that would be more detrimental to the appellant is precluded from consideration.
- v. Make recommendations to officers or the Staffing Committee if appropriate.

## **Summary**

The panel has decision making responsibility with any decision made being final and concludes the Council's internal appeals, disciplinary and grievance procedures.

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