

# Brixham Town Council

## Committee Terms of Reference



### **Review History**

Reviewed May 2008, May 2009, May 2010, May 2011, May 2012, July 2013, May 2014, May 2016, May 2017, May 2018, May 2019, June 2020

## **Evaluation Committee**

This committee is appointed to:

- evaluate the overall performance of Brixham Town Council (BTC) and its component committees;
- develop a long-term strategy and recommend changes in BTC policies
- To have Delegated Powers to review and authorise procedures for all personnel matters
- evaluate, review and adapt (if required) BTC specific meeting procedures;
- agree any dispensation requests with regard to the current agreed Code of Conduct;
- make decisions about all staffing matters, subject to budget and expenditure limits decided by Full Council;
- to formulate Service Level Agreements or other contracts associated with the Council's partnership working.
- to monitor the Councils Service Level Agreements for services within the community.
- consider any other matters delegated to the committee by the Council.

### *Format of committee*

1. All recommendations on all matters, excluding personnel issues and delegated powers, must be referred to Full Council.
2. Membership to be the Chairpersons or Vice Chairpersons of the other committees, the BTC Chairperson and Vice Chairperson, with a quorum of four members.
3. The Chair to be held by the Vice Chairperson of Brixham Town Council (BTC). The Vice Chairperson to be held by the Chairperson of BTC.
4. The committee to meet quarterly or as required.
5. The agenda to be published, with items to discuss listed, three clear days in advance of the meeting.
6. Minutes to be taken and distributed with BTC papers and agreed at the next committee meeting.
7. The Town Clerk or Deputy Town Clerk to administer the Committee and undertake any correspondence required.
8. Members of the committee may vote on resolutions put to the committee.
9. Only members of the Committee may vote on resolutions put to the committee. All Councillors may attend and contribute to the meeting, unless the item to be discussed is personal to a member of staff and the committee pass a resolution to exclude members of the public, press and non-committee members for that item.

### *Personnel issues*

The committee has the responsibility for the following:

10. To establish and keep under review the staffing structure in consultation with Full Council.

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11. To draft, implement, review, monitor and revise policies for staff, including staff contracts.
12. To establish and review salary paycales for all categories of staff and to be responsible for their administration.
13. To prepare and submit budget proposals in respect of salaries and training for all staff to the Finance & General Purposes Committee (not later than each year).
14. To allocate and authorise the training budget expenditure.
15. (a) To oversee the recruitment and appointment of staff with the exception of the Town Clerk/Responsible Financial Officer (RFO), where instead it would  
(b) short list applicants for the post of Town Clerk/RFO. The successful shortlisted applicants would be interviewed by the committee, before giving a presentation to Full Council on a topic relevant to current issues. A decision to appoint will be made at Full Council, following the presentations.
16. To establish and review performance management (including considering outcomes of annual staff appraisals) and staff training programmes for staff, where
  - (a) the Vice Chairperson shall conduct an appraisal of the Town Clerk annually in April, keeping a written record;
  - (b) the Town Clerk shall conduct appraisals of all staff annually in April, keeping a written record;
  - (c) the committee shall supervise the work of the Town Clerk.
17. To monitor the leave and absences chart, so as to address regular or sustained staff absence.
18. To keep under review staff working conditions and health and safety matters.
19. To consider a grievance or disciplinary matter (and any appeal) and oversee any process leading to dismissal of staff (including redundancy).
20. To consider any pay disputes and any appeal against a decision in respect of pay.
21. To ensure that confidentiality is maintained over all staffing matters under the General Data Protection Regulations and the Code of Conduct as signed by all members of the Town Council.

### *Council and Councillor issues*

22. To establish and review member allowances and to be responsible for their administration
23. To prepare and submit budget proposals in respect of member allowances and training for all members to the Finance & General Purposes Committee (not later than each year).
24. To draft, implement, review, monitor and revise all Council policies and procedures

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25. To establish and review performance management and training programmes for Councillors taking into consideration the Skills Matrix.
26. To monitor the attendance chart, so as to address regular or sustained absence.
27. To review the Councils schedule of meetings and representation at meetings for Outside Bodies
28. To review and manage Town Council Emergency Protocols

### **Community Services Committee**

1. To respond to consultation documents and projects generated by other organisations (unless the nature of the consultation falls within the operational remit of another Brixham Town Council Committee).
2. To offer community / voluntary groups in the town the opportunity to be included in the directory located on the Town Council website. Also, inclusion, where possible, in the Brixham Signal. e.g. Lifeboat, BM Does Care, RNMDSF, Churches etc.
3. To offer community / voluntary groups holding events in the town the opportunity to be included in the events diary and community diary located on the Town Council website. Also, inclusion in the Brixham Signal.
4. To manage Council Communications, e.g. website, newsletter and social media.
5. To consider issues regarding public amenities, waste issues including recycling within the town, eg. bus shelters, benches, and implementation of environmental, amenity and clean up schemes.
6. To monitor the condition of street furniture in the Town in conjunction with groups such as "Pride in Brixham" to ensure that Torbay Council fulfil their obligations with regard to waste bins, bus shelters, seats and the war Memorial etc and to make recommendations to Council for funding for community improvements to the Town infrastructure.
7. To monitor the Council services, ie Lengthsman and Information Point.
8. To manage or facilitate the Christmas lights and other promotional and tourism related displays such as floral decoration and maintenance.
9. To have Delegated Powers to allocate and authorise Seasonal Display budget expenditure.
10. To manage all Civic Events in the town.
11. To advertise the Annual Civic Award and Outstanding Sports Achievement Award, to compile entries and resolve the winner of the Civic Award in time for presentation of the award at the Annual Meeting each May.

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12. To liaise with the English Riviera Bid Company or equivalent organisation to ensure that notice of local events are prominently advertised and regularly updated including BTC noticeboards and information point.
13. To liaise with the local press in respect of BTC managed events.
14. To appoint two members to the Town Emergency Plan working group to report back to the Community Services committee in person or in writing. The appointed members shall be appointed for the duration of their term and attend relevant meetings / training in relations to their duties on the working group.
15. Membership to be 7 Councillors including the Chairperson and or Vice Chairperson and with a quorum of 4 Members, to be appointed annually.
16. Chair and Vice Chair to be elected at the first meeting of the Committee after Brixham Town Council annual meeting. If the Committee Chairperson is not able to attend the Vice Chairperson shall preside.
17. To meet quarterly or as required.
18. The Agenda to be published with items to discuss listed 3 clear days in advance of the meeting.
19. Minutes to be taken and distributed with Brixham Town Council (BTC) papers and agreed at the next Committee meeting.
20. The Town Clerk, Deputy Town Clerk or Administrative Assistant to undertake any correspondence required.
21. Only members of the Committee may vote on resolutions put to the committee. All Councillors may attend and contribute to the meeting.

### **Finance and General Purposes Committee (F&GP)**

1. The Finance & General Purposes Committee is constituted as a Standing Committee of Brixham Town Council to improve the financial control and accountability for the Council's financial procedures and delegated full financial control of the Council's activities.
2. The Finance & General Purposes Committee has the delegated authority:
  - To oversee within relevant legislation, Standing Orders and Financial Regulations the Council's general financial administration.
  - To consider and approve invoices for payment.
  - To review the Council's income levels.
  - To review the Council's banking arrangements and investments.

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- To establish and maintain a system for internal audit of the financial administration.
  - To establish and maintain a system for internal bank reconciliation inspections.
  - To consider and determine financial estimates and budgets annually, variations to them and to monitor expenditure against budget.
  - To recommend to Full Council the draft annual budget
  - To receive and consider recommendations on policy and charges for all Town Council services and facilities.
  - To consider and agree grants applications.
  - To ensure the Council has adequate insurance arrangements in place.
  - To ensure the Annual Audit Return is completed and submitted to the external auditors within the given timescale.
  - To manage, maintain and approve annual fees of the allotments, in accordance with relevant legislation, any policy or strategy relating to the function approved by the Council and within the budget provision made by the Council.
3. The Town Clerk (RFO) or Deputy Town Clerk is to administer the Committee and undertake any correspondence required.
  4. To meet once a month or as required with the Agenda to be published with items to discuss listed 3 clear days in advance of the meeting and report back to Full Council.
  5. Minutes to be taken and distributed with Brixham Town Council (BTC) papers and agreed at the next Committee meeting.
  6. Membership to be 7 Councillors including the Chairperson, Vice Chairperson and bank account signatories, with a quorum of 4 members, to be appointed annually.
  7. Chair and Vice Chair to be elected at the first meeting of the Committee after Brixham Town Council annual meeting. If the Committee Chairperson is not able to attend the Vice Chairperson shall preside.
  8. Only members of the Committee may vote on resolutions put to the committee. All Councillors may attend and contribute to the meeting

### **Town Hall Committee**

1. Membership to be 7 Councillors including the Chairperson and or Vice Chairperson, with a quorum of 4 members, to be appointed annually.
2. Chair and Vice Chair to be elected at the first meeting of the Committee after the annual meeting of the Council. If the Committee Chairperson is not able to attend the Vice Chairperson shall preside.
3. Only members of the Committee may vote on resolutions put to the committee. All Councillors may attend and contribute to the meeting.

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4. The Town Clerk, Deputy Town Clerk or Administration Assistant is to administer the Committee and undertake any correspondence required.
5. To support and encourage use of the Town Hall complex as a community resource.
6. To work towards achieving the best levels of income possible from all areas of the Town Hall complex that can be let and to work with all of our tenants to ensure the future viability of the Town Hall for all users by maximising its availability for use by the whole community.
7. To have the delegated power to allocate and authorise the Town Hall budget expenditure and income.
8. To have the delegated power to authorise and make expenditure up to 50% of the emergency repair expenditure limit (ex VAT) in any four week period.
9. To explore options for long term funding.
10. To negotiate and agree leases for all tenants of the Town Hall complex.
11. To consider the impact of charges to users.
12. To create working groups as and when required to work with tenants and or contractors on specific Town Hall issues, including but not limited to leases, fire safety, alterations, maintenance and complaints; but excluding setting rent levels.
13. The Working groups are to report back to the Committee.
14. To report to any recommended proposals to Full Council.
15. To invite tenants of the Town Hall to have one representative on the committee. Representatives may contribute to the meeting, unless the item to be discussed is of a confidential nature and the committee pass a resolution to exclude members of the public, press and non-members for that item. For clarification, only Council members have voting rights on the committee.

### **Planning and Regeneration Committee**

1. Delegated powers to comment on planning applications placed before it, within Brixham Town and adjacent areas and respond on behalf of the Town Council, to all consultations by Torbay Council in relation to planning applications.
2. Members of the Committee may vote on resolutions put to the Committee. All Councillors may attend and contribute to the meeting.
3. Members of the public, officers and Torbay Council officers may speak to planning applications during the meeting without the requirement to suspend Standing Orders. The time allowed for a member of the public to speak to an application is five minutes. NB Members of the public who wish to speak on items on the agenda other than planning

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applications being considered must do so prior to the commencement of the meeting in accordance with standing orders.

4. In the case of applications deemed by the Chairperson of the Planning and Regeneration Committee, Brixham Council and the Town Clerk to be contentious, a Full Council meeting will be called.
5. Nominate speakers to represent Brixham Town Council at Torbay Council Planning Committees.
6. To have Delegated Powers to comment on Licence applications.
7. To have Delegated Powers to comment on Tree Works applications.
8. Highway matters: monitor the condition of highways, pavements, lighting, signs and street names. Report matters of concern to Torbay Council.
9. To consider development plans (e.g. County Structure Plan, Torbay Council's Local Plan and the Brixham Peninsula Neighbourhood plan) and other development related consultation documents and to respond, on the Council's behalf, as appropriate.
10. To be the first port of call for Regeneration in Brixham, with regard to consultation with the Strategy group, and any other stakeholder groups and to receive reports back to the Planning and Regeneration Committee.
11. To consider and make recommendations to the Council on any matter relating to planning consultation processes.
12. If a Councillor is unable to attend the Planning and Regeneration Committee meeting, the Councillor should immediately advise an Officer and give written, comments and recommendations for any site visits already undertaken. The Officer should then reallocate any unvisited assigned application to an alternative member of the Planning Committee.
13. Membership to be 7 Councillors including the Chairperson and Vice Chairperson and with a quorum of 4 Members, to be appointed annually.
14. Chair and Vice Chair to be elected at the first meeting of the Committee after the Council's annual meeting. If the Committee Chairperson is not able to attend the Vice Chairperson shall preside.
15. To meet once a month, a week prior to the Torbay Council Planning Committee meetings. The Agenda to be published with items to be discussed listed 3 clear days in advance of the meeting.
16. Minutes to be taken and distributed to all Brixham Town Councillors (BTC). Minutes to be agreed at the next Committee meeting.



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17. The Town Clerk, Deputy Town Clerk or Administration Assistant is to administer the Committee and undertake any correspondence required.

## **Substitution of members on Committees**

1. Procedure for giving Notice of inability to attend a Committee meeting:
  - Members of a Committee (“Members”) will notify the Chairperson of the Committee in question and the Town Clerk’s office as soon as they are aware that they will be unable to attend the Committee Meeting.
  - Members will also notify if they are able to undertake application research, site visits and submit a report to the relevant Planning and Regeneration Committee Meeting.
  - The Member(s) concerned will notify the Chairperson and the Town Clerk’s Office if they are aware of a Councillor who is willing to substitute for them at the relevant Committee Meeting and if that Councillor is willing to undertake application research and site visits if required where the substitution is for a Planning Committee meeting.
2. Need for a substitute.
  - Arrangements for a substitute will not be instigated unless two or more Members notify that they will be unable to attend a Committee Meeting.
  - When a Member notifies they are unable to attend, the Town Clerk’s office will in the first instance arrange for a substitute to be on standby in case any further Members subsequently notify their unavailability. The Town Clerk’s office will inform the Chairperson of the relevant Committee when this has been done and the identity of the Member concerned (“the Substitute”).
  - If the number of Members able to attend falls to four or less the Town Clerk’s office will notify the Substitute(s) that they are required to attend the relevant meeting and, if applicable, to undertake Site Visits (see 4 below).
3. The standing of a Substitute on a Committee.
  - A Substitute will have full voting rights as though they are an elected member of the Committee.
  - A Substitute may vote in the manner they so choose.
  - Proxy voting is not available to Members unable to attend a Committee Meeting.
4. Planning Committee Site Visits:
  - If the Member to be substituted is so able they will undertake application research and site visits for the applications allocated to them and submit a written report to the Town Clerk’s office giving their recommendations.
  - If the Member is not able to undertake the application research and site visits then the Substitute will undertake this. In the case of a Substitute being inexperienced in planning matters the Town Clerk’s office will endeavour to allocate the most straightforward applications and guide the Substitute.
5. Planning Committee Site Review Meetings:
  - When Site Review Meetings are called by Torbay Council the Substitute will be invited in the first instance to attend such meetings on applications in respect of which they have undertaken application research and Site Visits.
  - Should the Substitute be unable to attend such a Site Review normal process will be followed and another Member invited to attend.

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### 6. Planning Committee Substitute Training:

- Any Member who has neither (i) been on the Planning Committee before nor (ii) undertaken planning training must come to at least one planning meeting before they become a Substitute. All Councillors to which this applies must attend the earliest possible meeting after the date of adoption of this policy. Town Clerk's office to so notify those concerned.
- If the Substitute is inexperienced in planning matters and so requires, an experienced Member will accompany a Substitute on first Site Review Meeting.