

Garstang Town Council

Committee Terms of Reference and Scheme of Delegation

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Version Number	Purpose/Change	Author	Date
V0.1	Restructure of Committees	E. Parry Town Clerk	21/07/20255
V1.0	Committee Terms of Reference and Scheme of Delegation	E. Parry Town Clerk	21/07/20255

Committee Terms of Reference and Scheme of Delegation

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person) and Standing Committees to act with delegated authority in the specific circumstances detailed.

1. Proper Officer and Responsible Financial Officer - Duties and Powers

1.2 Responsible Financial Officer

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

2. Proper Officer

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

- 2.1.1 Receive declarations of acceptance of office;
- 2.1.2 Receive and record notices from Councillors disclosing interests;
- 2.1.3 Receive and retain plans and documents;
- 2.1.4 Sign Notices or other documents on behalf of the Council;
- 2.1.5 Receive copies of By-laws made by the District/County Council;
- 2.1.6 Certify copies of By-laws made by the District/County Council;
- 2.1.7 Sign and issue summonses to attend meetings of the Council.
- 2.1.8 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)

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

- 2.2.1 The day to day administration of services, together with routine inspection and control.
- 2.2.2 Day to day supervision and control of all staff employed by the Council.
- 2.2.3 To take action on any issue of such urgency, that it cannot wait until the next normal Council meeting. If circumstances permit, the Clerk would normally be expected to consult the Mayor or Deputy Mayor (if the Mayor is unavailable) and take and take his/her view into account.
- 2.2.4 To incur expenditure on behalf of the Council, which is necessary to 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. Limit as detailed in Financial Regulations.
- 2.2.5 To take any action regarding minor repairs (as detailed in Financial Regulations) and to report minor matters to the relevant authority.

- 2.2.6 To determine any external applications for use of the Council's open spaces, in consultation with the Mayor and Chair of Amenities Committee.
- 2.2.7 Expenditure of the training budget within budget.
- 2.2.8 Delegated actions shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and shall be reported to the next available Council meeting.

3. Council

- 3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.
- i. setting the final budget or the precept (council tax requirement);
 - ii. the outcome of a review of the effectiveness of its internal controls
 - iii. approving accounting statements;
 - iv. approving an annual governance statement;
 - v. borrowing;
 - vi. declaring eligibility for the General Power of Competence; and addressing recommendations from the internal or external auditors
 - vii. Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
 - viii. Making, amending or revoking By-laws;
 - ix. Making of Orders under any Statutory powers;
 - x. Matters of principle or policy.
 - xi. Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);
 - xii. Any proposed new undertakings;
 - xiii. Prosecution or defence in a court of law;
 - xiv. Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.

4. Standing Committees

The Town Mayor and Deputy Town Mayor ex-officio shall be members of every committee; for the sake of clarity this is to allow them voting rights at all committees either or both may attend. As ex-officio members they will make part of the quorum for a Committee.

Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Deputy-Chairman who shall hold office until the next Annual Meeting of the council.

The committee shall ensure that the member it is appointed as Chairman has undertaken adequate training in chairmanship prior to appointment.

The Town Mayor shall not be elected as Chairman of any committee save with the express approval of the Council given on consideration of a report from the committee setting out the exceptional reasons justifying the election.

5. Sub Committees

There are no other Standing Sub-committees but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Sub-committee is formed by means of a Minute detailing the Terms of Reference.

6. Working Groups/Parties

Working Groups/Parties may be formed by resolution of the Council or a Committee at any time. The work of such a Working Group/Party will be decided upon at the time it is formed by means of a Minute detailing the Terms of Reference. Each Working Group/Party will report back with recommendations to the Council or the Committee that formed it.

6. Delegation - Limitations

Committees shall, at all times, act in accordance with the Councils Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.

Amenities and Public Realm Committee

Terms of Reference

1. Objective

This Committee is constituted in order to discharge the business of Garstang Town Council in regard to Amenities and public realm.

2. Membership

Membership shall consist of 6 members, elected annually.

The Mayor and Deputy Mayor of the Council can attend the Committee in an ex officio capacity with voting rights.

The Chairman and Deputy Chairman of the Amenities and Public Realm Committee shall be elected by the membership.

A quorum shall consist of three members.

3. Areas of Responsibility

The Amenities and Public Realm Committee has the authority delegated in sub paragraphs i) to vii) set out below. To meet bi monthly before the Full Council meeting.

i) The primary responsibility of this Committee will be to oversee the Council's public realm activities and maintain and enhance open spaces, including infrastructure improvements, installation of furniture and general improvements to amenity space, including but not limited to:

- Playing Fields and Amenity Areas
- Footpaths
- Environmental Matters
- Assisting Full Council and the Lengthsman for Town Council Events
- Town floral displays
- Highways and Street Furniture

ii) To assess the budget requirements of this Committee annually and submit this request to the Proper Officer for budget consideration;

iii) to consider items of business within the budget allocated to this Committee;

iv) Manage the Council's Allotments at Hereford Avenue;

v) Ensure any necessary risk assessments are completed and any required permission is obtained for any schemes or decisions made by this Committee, including planting schemes, or installation of street furniture and/or assets in open spaces;

vi) To assist the Clerk in considering any applications for use of use of the Council's open spaces

vii) To apply for grants, as required, to support the directives of the Committee's responsibilities.

4. Meetings

All meetings of the Amenities and Public Realm Committee will be minuted. The Lengthsman will be included as part of the staffing requirements

5. Review

The terms of reference of the Amenities and Public Realm Committee are to be reviewed annually.

Finance and Governance Committee

1. Objective

This Committee is constituted in order to fulfil the obligations of Garstang Town Council's finance and governance.

2. Membership

Membership shall consist of 6 members, elected annually.

The Mayor and Deputy Mayor of the Council can attend the Committee in an ex officio capacity with voting rights.

The Chairman and Deputy Chairman of the Finance and Governance Committee shall be elected by the membership.

A quorum shall consist of three members.

3. Areas of Responsibility

- i) To liaise with the Proper Officer regarding the budget for the Council's administrative requirements for each financial year;
- ii) To ensure that the financial risk assessment is reviewed annually;
- iii) To ensure that the risk register is reviewed annually;
- iv) To ensure that the Council's asset register is monitored and updated annually;
- v) To monitor the Council's overall compliance with the Financial Regulations to ensure the sound and open governance of financial matters and actions taken in the name of the Council;
- vi) To make recommendations, where necessary, to the Council following an annual 'fit for purpose' review of governance and oversee actions undertaken as recommended by audit;
- vii) To review the Council's reserves no less than annually providing any recommendations for optimal interest;
- viii) To arrange, monitor and review any council investments.
- ix) To consider any recommendations identified by the Council's internal and/or external auditor;
- x) To receive quarterly reports demonstrating reconciliation of the Council's bank account(s).
- xi) To review from time to time the adequacy of the Council's insurance cover, and receive at least once a year a report regarding claims settled and lodged since the last report;
- xii) To consider periodically reports regarding the Council's compliance with its regulatory requirements (e.g. health and safety, data protection etc).

Personnel Committee

1. Objective

This Committee is constituted in order to fulfil the obligations of Garstang Town Council's in regard to Personnel matters.

2. Membership

Membership shall consist of 6 members, elected annually.

The Mayor and Deputy Mayor of the Council can attend the Committee in an ex officio capacity with voting rights.

The Chairman and Deputy Chairman of the Personnel Committee shall be elected by the membership.

A quorum shall consist of three members.

The Committee will be mindful:

1. of the legal framework for, and good practice in, employment matters
2. of the confidential nature of employer-employee matters and that many of the items for consideration will require that the public and press be excluded by resolution of the Committee
3. of the nationally negotiated model contract, benchmarking and terms and conditions for the employment of the Clerk to the Council
4. of relevant council protocols and policies

3. Areas of Responsibility

The Personnel Committee has the authority delegated in sub paragraphs i) to xviii) set out below.

- i) Chair of Personnel to sign off Clerk timesheets weekly and approve Clerk's Annual Leave and TOIL in consultation with the Mayor
- ii) To agree modifications to Terms and Conditions of employment if and when required (including any re-grading applications) and within budget constraints
- iii) To provide advice to the Council on personnel matters relating to the Council's employees.
- iv) To periodically review the Council's policies in respect of personnel and make amendments to HR policies, performance management processes, the employee handbook;
- v) To facilitate the appraisals of staff and annual objectives;
- vi) To review annual pay increments of staff subject to contracts;
- vii) To facilitate the relevant training requirements for staff;
- viii) To undertake regular reviews of the Council's staffing structure to enable the Council to continue to deliver high quality services;
- ix) To review job descriptions and revise as necessary;
- x) To review particulars of employment as necessary;
- xi) To undertake recruitment when vacancies arise and review terms of employment;
- xii) Hearings for Grievance, Disciplinary and Capability matters in accordance with the Council's Grievance and Disciplinary Procedure.

- xiii) Dealing with any Grievance, Disciplinary and Capability matters to a final conclusion, only reporting to Council when the time for any Appeal has passed.
- xiv) To appoint 2 members to provide oversight of the Town Crier's role and duties, including review and agreement of Terms and Conditions
- xv) appoint a member of the committee to seek advice for the committee in the event of a dispute between the Council and the Clerk
- xvi) as and when required under the Council's Disciplinary and Grievance Procedures, appoint an Appeals Panel, whose members will not be members of the Personnel Committee, and appoint the Chairman of the Appeals Panel who will initiate an Appeals Panel Meeting
- xvii) Consider recommendations from the Appeal Panel and take necessary actions thereon.
- xviii) Power to delegate any responsibilities to the Proper Officer regarding employees under their charge.