

2023-2024 COUNCIL AND COMMITTEE TERMS OF REFERENCE AND SCHEME OF DELEGATION

Scheme of Delegation

To appoint the Town Clerk as the Council's Proper Officer

To give the Town Clerk delegated powers to grant licenses for events held on the Market Square and Memorial Gardens

To give the Town Clerk in consultation with the Chair of the Planning Committee delegated powers to respond to urgent planning applications where the timescale for submission of comments is too short to be considered by Planning Committee and/or Full Council.

To give the Planning Committee delegated powers to respond to planning applications on behalf of the Council.

To give the Town Clerk delegated powers to provide advice regarding the Herbert Strutt Charity, promote the Charity, assist individuals with Grant Applications, arrange meetings of the Committee and assess the Urgency or otherwise of Grant applications.

The Town Clerk has delegated powers for authorising expenditure within the budget headings and for urgent matters that are not budgeted between meetings.

Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £5,000;
- a duly delegated committee of the council for items up to £5000 provided this is within an existing budget heading; or
- the Clerk, for any items below £1000 provided this is within an existing budget heading.

To give the Town Clerk delegated powers to authorise spend by the Youth Council up to £1000.00 from existing budget. Delegated powers for items over £1000.00 to be given to Youth Committee or alternatively Full Council dependant on timescales. All spend must be within existing approved budget.

To delegate to the Deputy Town Clerk all powers delegated to the Town Clerk by Council, Committee or Standing Orders in the Town Clerk's absence

To delegate to each Committee of the Council power in relation to all matters within the Committee's Terms of Reference and power to incur expenditure provided that it is within budget, except for decisions/functions specifically reserved for Full Council in law or under the Council's Standing Orders.

TERMS OF REFERENCE

FULL COUNCIL

All matters reserved specifically by law – budget approval, precept setting, byelaws, etc.

Standing items as per Agenda

Acquisition or sale/lease of land

Approval of contracts

Approval of Small Grants and SLAs

Tenders

Use of reserves – General or Specific

Creation of a Specific Reserve

To agree any virements

Decision to adopt a new facility or service

All matters not delegated to a Committee or the Clerk

All decisions with financial implications that are not in current budget

To appoint Working Groups as appropriate

ARTS, EVENTS AND HERITAGE COMMITTEE

8 Members on Committee. Non Committee members welcome. Only Town Council Members to vote.

Quorum 4 Councillors.

Council events – food festivals, all Christmas events, Larks in the Park, Remembrance Day and one-off Council events

Council's support of other events, art groups and art organisations including well dressings/ arts trail/ St Georges/Arts Festival

Council's support of performance spaces for theatre, music and other community activity and further public art installations

Planters and flower displays and beds

Newsletter and Town Guide

Council's support of the World Heritage Site and its buffer zone

To promote open access to the Town, the arts and events

To promote environmental initiatives in the Town

National Awards – EMIB, Great British High Street, Green Flag

To appoint the following Working Groups and any others as necessary;

- Events
- Markets

Power delegated by Full Council to make decisions without financial implications and also with financial implications where spend is in budget up to £5000. Any item above £5000 must be recommended to Full Council.

Meets minimum of 3 times within a year

FACILITIES AND LOCAL ECONOMY COMMITTEE

8 Members on Committee.

Quorum 4 Councillors.

Car parks (St Johns, The Coppice and Gibfield Lane)

Market Place

Public Toilets

Grit bins, bus shelters, seats, street furniture and handrails

Councils fixed assets

Coppice Lock up

St Johns Chapel/Town Centre Office

IT system, equipment and website provider

Council's fixtures and fittings

Golden Jubilee Clock

Spencer Monument

Market Place monument

War Memorials – Milford and Belper

Allotments

Memorial Gardens

Monthly Market

Licences for use of Council's land for events

Memorial bench applications

Footpath maintenance

To support Love Belper and other local traders

To appoint the following Working Groups when appropriate and any others as necessary;

- Car Park Working Group
- Allotments Working Group

Powers delegated by Full Council to make decisions without financial implications and with financial implications as long as in budget up to £5000. Any item above £5000 must be recommended to Full Council. Meets minimum of 5 times within a year.

FINANCE, GOVERNANCE AND STAFF COMMITTEE

8 Members on Committee. To include Mayor.

Quorum 4 Councillors.

Finance

To include budget setting for recommendation to Council to allow for calculation of the precept

To receive applications from local organisations for annual grants (SLA's) and make recommendations to Full Council

To review bank statement/reconciliations

Governance

To include data protection, FOI, transparency and publication scheme

To recommend approval of all other policies of the Council

Annual Review of Contracts/Relationships with other Local Authorities, Not for Profit Organisations and Businesses

Staff – all meetings to be held in confidence

Annual review of Staff/Employment Policies

To appoint a Staffing Sub-Committee of 3 Members (3 Members to be quorate) to deal with staffing matters when appropriate

To appoint a Disciplinary and Grievance Sub-Committee of 3 Members (3 Members to be quorate) to deal with staffing matters when appropriate

To appoint any Working Groups as necessary

A recommending committee (no delegations in place) – all decisions to be recommended to Full Council

Meets minimum of 3 times within a year

YOUTH COMMITTEE

**8 Council Members, plus 2 co-opted Members on Committee.
Only Town Council Members to act as Chair and vote.**

Quorum 4 Council Members.

To advise Full Council and its committees on the needs of young residents.
To work with appropriate youth organisations within Belper.

To support Belper Children's centre on Alder Road

To support organisations which aid young people with Alcohol, drugs and other issues.

To help and assist with relevant Belper events involving the Youth of Belper

To consider the provision of a proposed skatepark (all recommendations to be agreed by Full Council)

To setup and facilitate the Youth Council

To appoint the following Working Groups when appropriate and any others as necessary ;

- Skatepark Working Group
- Youth Council Working Group - All Members of the Youth Committee to be members of the Youth Council Working Group – minimum of 2 Councillors to attend monthly meetings.

All members of the Youth Committee to complete a CRB check

Power delegated by Full Council to make decisions without financial implications and also with financial implications where spend is in budget – up to £5000.

Any item above £5000 must be recommended to Full Council.

Delegated powers to authorise Youth Council spend up to £5000.

Meets minimum of 3 times within a year.

PLANNING COMMITTEE

5 Council Members, plus 3 co-opted Members on Committee. Only Town Council Members to act as Chair and vote.

Quorum 3 Council Members.

5 Council members on Committee - at least one Councillor from each ward (These Councillors cannot be planning board members at Amber Valley Borough Council).

Engage with developers where appropriate in advance of any formal planning application, inviting them to refer to the Neighbourhood Plan.

Maximise the use of the Neighbourhood Plan and prepare reviews of the plan as required by regulation.

To liaise with local residents affected by development proposals where relevant and closely monitor decisions made by Amber Valley Borough Council.

To object to the Planning Authority on the grounds of the material planning considerations, and also list *significant* “non-material” concerns that may be of importance.

To consider planning applications and to draft comments for submission to Amber Valley Borough Council. All draft comments must be agreed by Full Council at the next appropriate Council meeting.

To appoint the following Working Groups when appropriate and any others as necessary;

- Neighbourhood Plan Working Group

All members of the Planning Committee to attend without any bias or predetermination of matters to be considered

The Planning Committee has delegated powers to respond to planning applications on behalf of the Council. **Meets 11 times within a year.**

Nb. To note that the Town Clerk in consultation with the Chair of the Committee, has delegated powers to respond to urgent planning applications where the timescale for comments is too short to be considered by Planning Committee and/or Full Council.

HERBERT STRUTT CHARITY COMMITTEE

6 Council Members plus 1 co-opted Member. Only Town Council Members to act as Chair and vote.

Quorum 4.

The Council as Trustee delegates to the Committee the power to administer and manage the Charity.

To consider applications to the Charity and approve/decline grants applications.

To annually review the Grant Conditions, the Grant Application Forms and the investment of the Charity's Funds.

Delegation to the Town Clerk to give advice regarding the Charity, promote the Charity, assist individuals with Grant Applications, arrange meetings of the Committee and assess the Urgency or otherwise of Grant applications.

To meet up to 4 times a year to consider distributions of income. The Committee may, in addition, meet on an urgent basis to consider an urgent distribution.