



Edenbridge Town Council

Town Clerk: Caroline Leet



EDENBRIDGE TOWN COUNCIL

TERMS OF REFERENCE

Adopted 27 January 2020

Reviewed and update Governance Committee 15 February 2021

Terms of Reference sit alongside Edenbridge Town Council's Standing Orders (which regulate the business and proceedings) and outline the functions the Town Council has discharged to its Committees.

All Members are able to attend all Council Committee meetings, but only the appointed Members to the Committee/s are eligible to vote.

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COUNCIL

Terms of Reference

Membership: The Council consists of all 15 elected/co-opted Members. The appointment of the Chairman and Vice-Chairman is to be elected annually at the Annual Meeting of the Town Council (AMTC) or in accordance with the Standing Orders.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (5 - one third of the total membership) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Town Council has the final authority on matters of policy and the powers of duties exercised by the Council. The Town Council will be solely responsible for the following specific functions: -

1. Set the Precept and agreeing the Town Council's budget
2. Elect a Chairman and Vice-Chairman of the Council
3. Appointment or dismissal of the Town Clerk
4. Confirm eligibility for the General Power of Competence (each new Council term)
5. Incur capital expenditure not specifically included in the Council's approved estimates of expenditure for the time being
6. The power of raising loans
7. Appointment of Committees, and Members (Chairman and Vice-Chairman will be elected by the Committees as per the Standing Orders)
8. Confirm a schedule of meetings for the full Council and its Committees for the coming year (*in addition to the Annual Meeting of the Town Council it must meet on at least three other occasions during the year, and may hold as many further meetings as it pleases*)
9. Agree annual subscriptions (*also in Terms of Reference for Finance and Governance Committee*)
10. Make and review of the Standing Orders as to the conduct of the Council's business
11. Approve Financial Regulations which govern financial management and ensure transparency
12. The composition and to approve the functions of the Council's committee structure including terms of reference, membership etc
13. Approve the Annual Investment Strategy (*also in the Finance and Governance Committee Terms of Reference*)
14. Receive reports and determine recommendations from all Committees/Sub-Committees/Working Groups
15. Consider major changes in the Council's management or administrative procedures
16. Make Orders under Statutory Powers
17. Take overall responsible for Health and Safety, Risk Assessment and Environment policies
18. Review the Town Council's services and facilities and to be responsible for the management, and maintenance, of all facilities, parks, open spaces and community programmes
19. Approval the Annual Return and Governance Statement
20. Approve contract and appointments under the procurement and tender procedures (as per *the Financial Regulations*)
21. Authorise the granting of long-term leases and agreements with third parties and suppliers
22. The allocation of grants and donations within the agreed criteria and budget (*also in the Grants Terms of Reference*)

23. Make, amend, or revoke By-Laws
24. Authorise the sealing of various documents with Common Seal
25. Approve staffing, establishment and governance matters (*also in Terms of Reference for the Finance and Governance Committee*)
26. Appoint Council representatives for Outside Bodies and other matters affecting the Town
27. Respond to legal proceedings (prosecution or defence)
28. Respond to consultative documents from Government and their bodies, other than those specifically allocated to committees
29. Consider the devolution of appropriate services from other authorities
30. Approve all matters not delegated to a Committee or the Town Clerk
31. Approve and adopt Neighbourhood Planning matters
32. Council properties:
 - Matters relating to the Town Council properties: Public Toilets; Doggetts Barn; Rickards Hall; Church House; the Pavilion, Lingfield Road Recreation Ground and Mowshurst; the depots at the recreation ground and the cemetery; and Mowshurst Barn. (*Lease agreements also with the Finance and Governance Committee*)
 - Monitor the Properties and Open Spaces Maintenance Plans and Annual Buildings Review
 - Consider recommendations for any additional works required and budget allocation
 - Consider proposals for environmental improvements to the Council's buildings
33. Authorise the sale or purchase of land and properties
34. Scrutinise the decisions of the Council's Committees and Sub-Committees and to call in decisions for further investigation as part of the governance and accountability procedures
35. Deal with all issues where time prevents them being referred to the relevant Committee
36. Consider and submit comments on planning applications, licences, street trading and events where time prevents consideration by the Planning and Transportation Committee
37. Co-opt Councillor(s) to fill a vacancy/ies, such appointments must be voted on and resolved by full Council
38. Any other matters not delegated to a Committee or Sub-Committee or Working/ Steering Group or referred to the full Council by a Committee, Sub-Committee, Working/Steering Group
39. Approve taking on new powers or duties
40. Approval of reallocation of balances between one budget cost centre and another
41. Writing off bad debts
42. Civic Medallions awards

FINANCE AND GOVERNANCE – COMMITTEE

Terms of Reference

Membership: The Committee shall consist of 10 Members appointed at the Annual Meeting of the Town Council (AMTC) or appointed by the full Council. The Chairman of Open Spaces Committee is to be a Member of the Committee. The Chairman and Vice-Chairman are to be elected annually by the Committee at the first meeting after the AMTC in accordance with the Standing Orders.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (4) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Committee has delegated authority to make decisions once the general policy and expenditure has been approved by the Town Council. The powers are to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget.

1. Delegated business includes:

- 1.1 All financial matters and accounts for payment as provided for by the Financial Regulations
- 1.2 Collection of revenue and rents
- 1.3 Consider all aspects of financial administration (such as banking arrangements and investments)
- 1.4 Responsible for the investment of funds and ensuring these are reviewed
- 1.5 Monitor cashflow analysis
- 1.6 Leases and licences
- 1.7 Agree and negotiate best value Service Level Agreements with external agencies, and to deal with any resulting issues arising under the terms of agreements
- 1.8 Review annual rent and hiring fees for Town Council facilities and properties
- 1.9 Ensure the Town Council has appropriate insurances, policies are in date and best value is obtained
- 1.10 Maintain the Asset Register
- 1.11 Monitor the Council's financial position including reviewing the budget against actuals
- 1.12 Monitor the Town Council's allocated and unallocated reserves
- 1.13 Monitor the depreciation fund and oversee the replacement of vehicles and equipment as necessary
- 1.14 Contractual matters not within the remit of any other committee
- 1.15 Staffing, establishment and governance matters (*also in Terms of Reference for full Council*)
- 1.16 Ensure an effective system of internal audit is in place and to annually review its effectiveness
- 1.17 Determine annual subscriptions (*also in Terms of Reference for full Council*)
- 1.18 Maintain CIL records; management payments and receipts; prepare and submit the annual returns; and ensure appropriate investments for the funds
- 1.19 Consider other sources of income to fund/support Council projects and expenditure

2. Governance delegated business

- 2.1 Review all council policies and terms of reference and to readopt if changes are required. Except for the Annual Investment Strategy, Standing Orders and Financial Regulations which must be approved by full Council.
- 2.2 Prepare the annual accounts and completion of the Annual Return (AGAR)
- 2.3 Appoint six signatories for the Council's bank accounts, investment accounts, CIL funds and charities accounts (the RFO will raise transactions and two signatories will approve)
- 2.4 Carry-out periodic checks to confirm compliance with the Council's Financial Regulations
- 2.5 Review of the Financial Regulations, and procurement procedures
- 2.6 Periodic checks of the Council's administration procedures
- 2.7 Ensure an effective system of Data Protection is in place to comply with the General Data Protection Regulations (GDPR)
- 2.8 Approve leases and service level agreements for Blossoms Park and Pavilion; Mowshurst Pavilion; Lingfield Road Recreation Ground and Pavilion; Church House; and the agreement with the WI Hall Management Trustees.
- 2.9 Internal Audit review (annually)
- 2.10 Ensure compliance with Health and Safety, Risk Assessment and governance and make recommendations to full Council as needed

3. Finance and Governance referred matters

To consider and make recommendations to Full Council on the following matters:

- 3.1 Prepare the Annual Budget, and setting of the level of Precept for adoption by full Council, considering recommendations from Council committees
- 3.2 Prepare the annual accounts and completion of the Annual Return
- 3.3 Recommend the appointment of the internal auditor (*this should be reviewed every 3-years*)
- 3.4 Recommend the Annual Investment Strategy to the full Council
- 3.5 Sub-committees (have their own TORs): Receive reports, recommendations and other governance matters
 - Personnel Committee (*Recruitment and amendments to staff contracts, recommendations are reported to the full Council for approval*)
 - Forward Planning Steering Group (*new projects and services are to be approved by the full Council*)
- 3.6 Monitor decisions of the Council's Committees and Sub-Committees and to call in decisions for further investigation as part of the governance and accountability procedures
- 3.7 Deal with contractual matters not within the remit of any other committee
- 3.8 Monitor the Properties Maintenance Plans and review and make recommendations for any additional works required from the Capital expenditure
- 3.9 Monitor the Open Spaces Committee budget for its Maintenance Plans; and to consider proposals for changes and make recommendations for budgetary changes for any additional works and upgrading as required
- 3.10 Receive the Internal and External Auditor's reports and consider any recommendations
- 3.11 Council's Internal Audit review
- 3.12 Monitor compliance with Health and Safety and Risk Assessment and make recommendations to full Council for improvements
- 3.13 Expenditure proposed by other Committees, Sub-Committees, Working Groups that are not included in current budget estimates
- 3.14 Review and consider any other matter referred by the full Council to the Finance and Governance Committee

PLANNING AND TRANSPORTATION COMMITTEE

Terms of Reference

Membership: The Committee shall consist of 12 Members (min 5 from each Ward) appointed at the Annual Meeting of the Town Council (AMTC), or appointed by the full Council. The Chairman and Vice-Chairman are to be elected annually by the Committee at the first meeting after the AMTC in accordance with the Standing Orders.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (4) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Committee has delegated authority to make decisions, to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget, on the following:

1. Delegated business

- 1.1. Consider all planning aspects of development within the Parish of Edenbridge including, Tree Preservation Orders, signage and business categories and make representation to the local planning authority on applications for planning permission which have been notified in accordance with the Local Government Act 1972, Schedule 16 Town and Country Planning (Development Management Procedure) (England) Order 2015 S1 2015/595, art 25: and other relevant legislation
- 1.2. The Chairman of the Committee, or in their absence the Vice Chairman, in consultation with one other Committee Member and the Town Clerk, (or their deputy), to have executive powers to make observations in respect of planning applications referred to the Town Council, where it is not possible to convene a meeting of the Committee in time to meet the deadline date for the return of observations to the planning or licensing officer
- 1.3. Where this executive power (1.2) has been exercised, the observation to be reported to the next Planning (and Transportation) Committee
- 1.4. Make representations in respect of appeals against the refusal of planning permission
- 1.5. Identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations
- 1.6. Consider and comment on all local, regional and national planning policy
- 1.7. Consider and develop any long-term plans relating to the development of Edenbridge
- 1.8. liaise with developers where proposals are presented and make representation on the interests and benefit for Edenbridge
- 1.9. Consider requests for alcohol licenses for new premises and make representation to the licensing authority
- 1.10. Consider and make recommendations for street naming requests
- 1.11. Consider all Highways and traffic matters associated with Edenbridge and respond to all relevant consultations
- 1.12. Receive consultations on Public Transport Services and make representation
- 1.13. Monitor Air Transport issues and respond to relevant consultations
- 1.14. Deal with consultations which time prevents being presented to full Council
- 1.15. Receive delegated powers from the Town Council for Council business during the month of August
- 1.16. Appoint (and disband) Steering/Working Groups if necessary

2. Referred matters

To consider and make recommendations to full Council on the following matters:

- 2.1. Consider Strategic Planning Policy and report to full Council
- 2.2. Consider local transport plans and other documents and make recommendations as appropriate
- 2.3. Receive and monitor reports from the Public Rights of Ways (PROWS) group (*issues are reported to KCC*)
- 2.4. Prepare budget estimates for the Planning and Transportation Committee if necessary
- 2.5. Work with the following Working/Steering Groups considering its recommendations:
 - Parking Working Group
 - Town Signage Working Group
 - Neighbourhood Plan Steering Group – *currently on hold*
- 2.6. Disband the above named Working/Steering Groups when considered no-longer relevant
- 2.7. Review and consider any other matter referred by the full Council to the Planning and Transportation Committee

OPEN SPACES COMMITTEE

Terms of Reference

Membership: The Committee shall consist of 10 Members appointed at the Annual Meeting of the Town Council (AMTC) or appointed by the full Council. The Chairman and Vice-Chairman are to be elected annually by the Committee at the first meeting after the AMTC in accordance with the Standing Orders.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (4) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Committee has delegated authority to make decisions, to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget, on the following:

1. Delegated business includes:

1.1 Consider all matters, administration, maintenance and use of the Town Council's owned open spaces and facilities and to provide and maintain to a high standard:

- a) The cemeteries and a lawn of remembrance and to maintain the closed Churchyard and war memorial
- b) The public parks and spaces:
 - Stangrove Park
 - Lingfield Road Recreation Ground
 - Blossoms Park
 - Mowshurst
 - Marsh Green
 - Peace garden
 - Pound Green
 - Forge Green
- c) The sporting facilities at Lingfield Road Recreation Ground and Mowshurst
- d) The playgrounds and skate park, catering for a range of ages and abilities at:
 - Stangrove Park
 - Lingfield Road Recreation Ground
 - Blossoms Park
 - Marsh Green
 - Spitals Cross Estate
 - Stangrove Estate (SDC owned; ETC has no responsibility but carries out playground inspections)
- e) Allotment sites at Swan Lane and Forge Croft
- f) Car parks owned, or overseen, by the Council: Market Yard Car Park (owned); Leather Market Car Park (keep clean and do the flower beds)
- g) Working with SDC to maintain the pathways/cutting the grass for Town Field

1.2 Manage the grounds maintenance contracts undertaken on behalf of outside bodies and organisations

1.3 Set terms and conditions of use and provision of areas under its control

1.4 Liaison with rugby, football and cricket organisations which have an interest in recreational facilities in Edenbridge Town Council's control

- 1.5 Provide and maintain seating, waste bins, notice boards and some street signage, as appropriate, including the town clock.
- 1.6 Maintain the bus shelters provided by the Town Council
- 1.7 Maintain pumping systems for Mill Leat; and sewage at the Pavilions and maintain the interceptor at Market Yard Car Park
- 1.8 Review and maintain the street lighting currently provided by the Town Council
- 1.9 Receive the reports required under Health and Safety Policy, including the Risk Assessments for the open spaces activities, e.g. tree survey, memorials check, COSHH register, playground inspections reports and consider any actions necessary.
- 1.10 Undertake, within the agreed budget small projects to improve or add to facilities
- 1.11 Consider recommendations put forward by all Sub-Committees/Working Groups which report to the Open Spaces Committee and to make decisions within budget without recourse to the Finance and Governance Committee
- 1.12 Appoint (and disband) Sub-Committees, Working/Steering Groups as necessary
- 1.13 Consider matters relating to events held on Edenbridge Town Council land; and to ensure that any agreed events have the necessary insurances, licenses and risk assessments

2 Referred matters

To consider and make recommendations to full Council or Finance and Governance Committee on the following matters:

- 2.1 Make recommendation/s to the Open Spaces Maintenance Plans review; and propose any additional works and upgrading required from the appropriate funds
- 2.2 Monitor and review the Grounds staff management
- 2.3 Review the Open Spaces Asset Register and make budget recommendations for the replacement of equipment
- 2.4 Consider requests for undertaking devolved services and additional work
- 2.5 Make recommendations to the Forward Planning Committee for future projects
- 2.6 To prepare budget estimates and make budget recommendations to Finance and Governance Committee for the next and financial year
- 2.7 Provision of additional facilities within agreed budgets and objectives set by Edenbridge Town Council
- 2.8 Improvements to facilities within the Committee's sphere of responsibilities
- 2.9 Review and consider any other matter referred by the full Council to the Open Spaces Committee

EMERGENCY PLANNING COMMITTEE

Terms of Reference

Membership: The Committee shall consist of 8 Members appointed at the Annual Meeting of the Town Council (AMTC) or appointed by the full Council. The Chairman and Vice-Chairman are to be elected annually by the Committee at the first meeting after the AMTC in accordance with the Standing Orders. The Committee may also co-opt members, local volunteers and representatives of other appropriate bodies, in a non-voting capacity.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (3) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Committee has delegated authority to make decisions, to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget, on the following:

The Committee is responsible for the direction and control of Edenbridge Town Council's emergency response, as well as including provisions for the other requirements as noted in the Edenbridge Community Emergency Plan (and Civil Contingencies Act 2004).

In the event of an emergency, the Committee is authorised to act without waiting for any form of Council approval, but must have approval of two of the following: Emergency Planning Committee Chairman, Vice-Chairman; Chairman or Vice-Chairman of the Town Council; Chairman of the Open Spaces Committee, and in consultation with the Town Clerk. Its operations will be in co-operation with, and under the broad guidance of, SDC and statutory emergency services.

1. Delegated business

- 1.1. Consider and make recommendations on how to make optimum use of the resources available within the community in the event of an emergency event
- 1.2. Monitor, update and maintain the Edenbridge Town Council's Community Emergency Plan, including standing Risk Assessments
- 1.3. Set meeting dates as necessary (*also in the full Council's Terms of Reference*)
- 1.4. Provide training opportunities for Committee Members and co-opted members to enable them to carry out their duties in an emergency
- 1.5. Maintain basic stock of sandbags and replenishment as needed from SDC
- 1.6. Maintain the winter management supply of grit salt from KCC
- 1.7. Make budget recommendations to Council for the next financial year
- 1.8. Ensure adequate emergency resources are available and fit for purpose
- 1.9. Monitor warnings issued by the Met Office and other agencies and respond accordingly
- 1.10. Communications with outside agencies should be directed through the Chairman of the Committee (or nominated councillor)

2. In the event of an emergency

- 2.1. Implement the Edenbridge Town Community Emergency Plan to provide an immediate co-ordinated and managed local response at the beginning of an emergency and to continue that response until it is no longer required

- 2.2. Provide assistance to other agencies responding to emergency situations through local knowledge and contacts
- 2.3. Authorise emergency spending during an emergency – *as per the Financial Regulations and approval of the Chairman of the Emergency Planning Committee; Chairman or Vice-Chairman of the Council; Chairman of the Open Spaces Committee, and in consultation with the Town Clerk*
- 2.4. Hold a debrief after each incident (and provide a report to the full Council)
- 2.5. The Chairman of the Committee (or nominated councillor) will liaise with outside organisations any key information following the debrief

PERSONNEL SUB-COMMITTEE

Terms of Reference

Membership: The Committee shall consist of 7 Members appointed by the Finance and Governance (F&G) Committee, but not necessarily F&G Committee members (membership will be confirmed annually after the AMTC). The Chairman of the Sub-Committee will be appointed by the Committee at the first meeting after the AMTC in accordance with the Standing Orders.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (3) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Committee has delegated authority to make decisions and resolve personnel matters, but any matters which involve expenditure needs to be referred to full Council for resolution. The Committee will report all decisions and issues to the Finance and Governance Committee.

Decisions, to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget, on the following:

1. Delegated business

- 1.1. Review policies and procedures and ensure staffing, recruitment, disciplinary, grievance procedures are compliant with recommended practices
- 1.2. Manage and implement the procedures for the appointment of the Town Clerk and other staff; with decisions ratified by full Council (*also in the Terms of Reference for full Council*)
- 1.3. Consider and bring to a final conclusion, any matters emanating from staffing policies (including Managing Employee Performance, Managing Employee Ill Health and Sickness and Grievance Policies etc) for members of staff employed by Edenbridge Town Council
- 1.4. Establish panels for hearings and appeal hearings when required. To be comprised of three councillors to be quorate
- 1.5. Support the Town Clerk in the appointment and management of consultants
- 1.6. Agree terms of employment
- 1.7. Provide support to the Town Clerk in matters relating to job evaluation
- 1.8. Nominate as-and-when required members to form an Internal Pension Dispute Panel
- 1.9. Nominate as-and-when required members to form a Disciplinary Committee
- 1.10. Receive and evaluate training reports
- 1.11. Agree job descriptions
- 1.12. Provide support to the Town Clerk in matters relating job performance and disciplinary matters

2. Referred business

To consider and make recommendations to full Council or Finance and Governance Committee on the following matters:

- 2.1. Terms and conditions of employment regarding all employment and occupational pension issues
- 2.2. Issues delegated from Council
- 2.3. The Council's Personnel Risk Assessment

- 2.4. Changes to the staffing structure (i.e. additional staff)
- 2.5. Pay levels and staffing structure and to make any recommendations to full Council
- 2.6. Other staffing matters delegated by the Finance and Governance Committee or full Council

CHARITIES AND GRANTS

Terms of Reference

Membership: The full Council, 15 Councillors. The Finance and Governance (F&G) Committee will oversee the finance reports for the charities and the Chairman will report to full Council (or appointed in accordance with the Standing Orders). Grants will be collated by the RFO and Chairman of the F&G Committee, and will present to Members.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (5) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Town Councillors are the Trustees of the Council's charities: Blossoms Park; Lingfield Recreation Ground; and the Norman Foundation Committee. Trustees have the authority to make decisions with regards to the investments of the charities accounts and review the aims of each charity.

Decisions, to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget, on the following:

- 1. Charities business – The Chairman of the Council will chair the meeting (or as per Standing Orders)**
 - 1.1. Annual charities accounts
 - 1.2. Consider the aim of the charities and make any relevant proposals for changes
 - 1.3. Complete and submit the annual charities return to the Charity Commission
 - 1.4. Comply with the Charity Commission regulations
 - 1.5. Ensure the best investments for the charities and use of its funds
- 2. Grants business – The Chairman of the Finance and Governance Committee will chair the meeting (or as per Standing Orders)**
 - 2.1. Ensure the invitation for grant applications is advertised and promoted within Edenbridge
 - 2.2. Validate applications and obtain further information if needed
 - 2.3. Award grants within the agreed grants budget and for the benefit of Edenbridge
 - 2.4. Make budget recommendations to the Finance and Governance Committee for the next financial year
 - 2.5. Carry-out checks to ensure that expenditure is used for the purpose for which it was agreed. If there has been any variation to the agreed expenditure this will need to be reported to the Committee to consider if there has been a breach in there terms of the award, and to cancel the grant or request the money to be returned to the Town Council
 - 2.6. Any proposed expenditure over the Grants budget, must be referred to the Finance and Governance Committee for consideration and recommendation made to full Council

Grants criteria:

Edenbridge Town Councils welcomes applications from organisations with a local connection or directly involved in helping residents.

FORWARD PLANNING STEERING GROUP

Terms of Reference

Membership: The Committee shall consist of all 15 Councillors. The Chairman of the Sub-Committee will be appointed by the Committee at the first meeting after the AMTC in accordance with the Standing Orders.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (5) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

The Committee will meet a minimum of once a year to consider Edenbridge Town Council's objectives, long term aims and proposals from Committees and recommend such forward programmes and schemes to achieve the Council's objectives in whole or in part during specific time spans.

The Committee will report all decisions and issues to the Finance and Governance Committee and the full Council.

Decisions, to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget, on the following:

1. Referred business

To consider and make recommendations to full Council or Finance and Governance Committee on the following matters:

- 1.1. The long-term future development of the town, in line with the Town Council's agreed vision and fundamental principles
- 1.2. Monitor, update and maintain the Town Council's long, medium, and short-term plan
- 1.3. Review the Town Council's five-year forecast of revenue and capital receipts and payments and make any proposals for revising the forecast as necessary
- 1.4. Recommendations, for the level of Precept increase, based on the above plans, to guide the Council and its Committees' budget setting processes
- 1.5. Recommendations on policy and capital expenditure to Council
- 1.6. Consider wider partnership schemes for Edenbridge and if it is appropriate for the Town Council to be involved

WORKING/STEERING GROUPS

Generic Terms of Reference - *These terms of reference are general and are designed to support Working/or Steering Groups established to investigate or lead specific projects*

Membership: The Committee shall consist of a small group of Members appointed by the nominating Committee or full Council Committee. The Committee may also co-opt members who are not Councillors in a non-voting capacity. The Group will appoint a Chairman who should remain the same throughout the project where this is possible.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

Working/Steering Groups are proposed by full Council or a Committee to investigate specific matters and make recommendations to achieve in whole or part, the objectives and aims set by the Edenbridge Town Council. The Group will report to the full Council/or its umbrella Committee; (its meetings are not held in public).

Working/Steering Groups have no delegated authority to approve any expenditure;

1. Referred business

- 1.1. Consider the feasibility of the proposed project(s) and make recommendation
- 1.2. Conduct appropriate research for the delivery of the proposal/scheme
- 1.3. Organise schedule of meetings. All meetings need to have notes and are to be reported back to Committee/full Council
- 1.4. Work with the nominated Officer/Council representative. It is not necessary for the Council Officer to attend every meeting, but the Group must discuss ideas, consider advice from the Officer and keep them informed
- 1.5. Prepare a project brief for recommendation to full Council/Committee
- 1.6. Appoint professional assistance as required. If this requires an expenditure, to make recommendation to full Council
- 1.7. Identify likely partners to help build and support the project
- 1.8. Visit other similar projects
- 1.9. Prepare a budget to be considered by the Committee/full Council
- 1.10. Seek grant funding from various sources (in consultation with the Council Officer and Committee/full Council)
- 1.11. Prepare documents according to the project brief
- 1.12. Provide a synopsis report to Committee/full Council outlining progress, issues (and requesting delegation if appropriate)

DELEGATION TO THE TOWN CLERK

All actions taken are to be reported to the full Council or the relevant Committee/sub-Committee

The Town Clerk is the Proper Officer of Edenbridge Town Council as appointed under the power of the Local Government Act 1972 (LGA 1972).

The Town Clerk ensures that the decisions of the Town Council are carried out and is responsible for advising the Council to assist it in making informed decisions.

Under the section 112 of the LGA 1972, the Council is required to appoint such officers as it considers necessary for the proper discharge of its functions. Section 151 of the LGA 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs. The 1972 Act and other legislation entrusts a number of responsibilities and duties to the Proper Officer (Clerk). The Standing Orders of the Council designates the Town Clerk to be the Proper Officer of the Town Council so that the public is aware of the extent of the Clerk's authority.

The Clerk can only be appointed and removed from appointment by the Council and he/she is accountable to the Council as Corporate Body. The Clerk cannot be line-managed by any one Councillor.

Decisions are to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget.

1. General Delegation

- 1.1. In consultation with the Chairman or Vice-Chairman of appropriate Committees, Sub-Committee, Working/Steering Group, the Town Clerk can take action deemed desirable on any matters which the Committee concerned have delegated powers, but which requires urgent action and is in accordance with the Financial Regulations
- 1.2. The Town Clerk shall have the power to take action as necessary between Meetings of the Full Council, Committees, Sub-Committees, and Working/Steering Groups provided that such action is in accordance with the policy of the Town Council and within budget
- 1.3. The Town Clerk is responsible, as the statutory officer, for granting dispensations under the Localism Act 2012 c7 s33

2. Specific Delegated

- 2.1. General management of Edenbridge Town Council services in accordance with the policies determine by the Town Council (and Finance and Governance Committee)
- 2.2. Keeping Town Council documents and records and to sign certain notices and summons
- 2.3. Determination of the management and use of the Council offices and properties, the purchase of equipment and the authorisation of repairs and maintenance to all building and equipment within the financial limit of the approved current budget (and in accordance with the Financial Regulations) *also to Deputy Clerk*
- 2.4. Appointment of staff according to the Town Council's policies and procedures and in consultation with the Personnel Committee
- 2.5. Delegated powers be granted to the Town Clerk to approve basic training for all staff relevant to job roles and within budget allocation; and to make recommendation to full Council continued professional development training/courses

- 2.6. Effectively manage staff employed by Edenbridge Town Council
- 2.7. Liaise with and make representation to legal representatives on behalf of the Council (decisions are to be agreed by full Council)
- 2.8. Respond to Freedom of Information Act requests
- 2.9. Review and amend Standing Orders, Financial Regulations and any policy when deemed necessary, and in the context of legal changes or working practice changes. Policies to be referred back to the Finance and Governance Committee/or full Council at the Town Clerk's discretion
- 2.10. Prepare CIL applications/bids which are to be submitted to the CIL Board on behalf of the Town Council
- 2.11. Approve the Annual Report and Council Newsletters
- 2.12. Approve expenditure within the expenditure limits authorised to the Town Clerk as set out in the Financial Regulations and within the current agreed budget (*small expenditure items of up to £250; over £250 as per the Financial Regulations*)
- 2.13. Reallocation of individual cost budget headings (within same cost centres); and in consultation with the RFO
- 2.14. Emergency decisions as prescribed by the Standing Orders and Financial Regulations

3. Unspecified Delegated

The following list may be delegated to Officers of Edenbridge Town Council at the discretion of the Town Clerk

- 3.1. Dealing with/respond to correspondence addressed to the Council and Councillors and to keep Members informed
- 3.2. Ensure Council correspondence/documentation is dealt with as necessary and appropriately stored
- 3.3. Attend meetings with officers from other local authorities and organisations as necessary
- 3.4. Submit planning comments/recommendations by Committee; and if time prevents a meeting to ensure a recommendation is made and submitted outside of meeting
- 3.5. Management and letting of Edenbridge Town Council's facilities, including granting permission to hirers to sell alcohol (subject to the appropriate TENS licences and other)
- 3.6. Organise and oversee the management of all civic functions and Council events (within budget) and in consultation with appropriate Members/Committees
- 3.7. Develop and maintain relations with local organisations and the press/media
- 3.8. Negotiate best value with contracts
- 3.9. Actions as specified and approved, and minuted, by Council or Committees; or by the Chairman and Vice-Chairman of the Town Council and to be ratified by Council
- 3.10. Implementation of Council and Committee approved decisions
- 3.11. Undertaking the day to day financial duties of the Council (*Responsible Financial Officer (RFO)*)
- 3.12. Signing of operational documents for items within budget (*Deputy Clerk/RFO*)
- 3.13. Management and day to day running of all outside facilities subject to being within current budget (*Deputy Clerk/Head Groundsman*)
- 3.14. In the absence of the Town Clerk, delegated powers, to be granted to the Deputy Clerk (or RFO) deputising for the Town Clerk, in consultation with the Chairman and Vice-Chairman of the Council, or the Chairman of the Finance and Governance Committee

COMMUNITY INFRASTRUCTURE LEVY (CIL) BOARD

Adopted by Full Council with the CIL guidance and procedures – December 2020 (amended Governance Committee 15 February 2021)

Terms of Reference

Introduction

The Community Infrastructure (CIL) Board has delegated authority to make decisions on behalf of the Town Council and shall consider Bids for CIL funding in accordance with the law, Town Council's Standing Orders, Financial Regulations and the CIL guidance framework.

1. CIL Board Membership

- 1.1 The Membership of the CIL Board shall consist of all 15 Members of the Town Council.
All Members are expected to attend the meetings
- 1.2 A Chairman and Vice-Chairman will be appointed
- 1.3 All decisions will be made at the CIL Board meetings
- 1.4 The quorum shall be 5 Members (one-third of Council)

2. Conduct of the Board Members

- 2.1 It is incumbent that Members ensure that they remain impartial and receptive to all point debate before reaching a decision on how to vote on a bid
- 2.2 Members should remain at meetings until the end of the meeting, unless they have a compelling reason not to do so
- 2.3 Members who are not present for consideration of all Bids, or who are not present during the whole of the discussion, should not vote on any Bid as they will not have heard all the arguments for and against the proposals
- 2.4 Members should be informed when a Bid is submitted by the Town Council or involves the provision of infrastructure on Council land
- 2.5 Subject to the Council's Code of Conduct and the Localism Act 2011 (or any Act superseding these Acts), Members can vote on all Bids, but must make declarations of interest, lobbying and pre-determination before the Bids are debated
- 2.6 Members should contact the Town Clerk before a meeting if they have any doubt in their minds regarding a potential Disclosable Pecuniary Interest (DPI)

- 2.7 Members must avoid reaching a judgement before all relevant evidence is presented to the Board. All Members must ensure that they never give the impression of closing their minds to information relevant to the Bid

3. Validation

- 3.1 Bids will be validated by the Town Clerk and the Chairman of the CIL Board (as set out in the guidance notes) before they are put to the CIL Board for consideration:

4. Decision making and voting on Bids

- 4.1 After Bids have successfully completed the validation process, and any amendments made if necessary, they will be presented to the CIL Board to consider
- 4.2 Members will consider each application and vote by show of hands
- 4.3 Every decision must be made by a majority of Members present and voting. (Provided that a quorum is present it is immaterial that a quorum of Members takes part in the voting.)
- 4.4 If there is an equality of votes, the Chairman presiding will have a second and the casting vote

5. Meetings

- 5.1 The CIL Board will aim to meet at least twice-yearly
 - 5.2 A summary of the Bids, including the amount requested, will be published with the meeting papers. The full Bid pro-forma will not be published as it may contain sensitive information
 - 5.3 The CIL Board meetings will follow meeting procedures and speaking protocol (appendix B of full guidance and procedures) and the Standing Orders
- 6. The CIL Board shall consider bids for CIL funding in accordance with the Town Council's Standing Orders, Financial Regulations and the CIL guidance framework.
 - 7. The Membership of the CIL Board shall consist of all 15 members of the Town Council.
 - 7.1 A Chairman and Vice-Chairman will be appointed
 - 8. The CIL Board will aim to meet at least twice-yearly