



Peacehaven Town Council

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1. Introduction

Local Councils may only do what legislation requires or permits them to do. The Local Government Act 1972, s101 (with some exceptions) allows the Council to delegate functions to committees, sub committees, officers, or other authorities. Authority to make decisions cannot be delegated to an individual Councillor or group of Councillors outside of a committee.

In addition to legislation, the business of the Council is governed by its adopted Standing Orders and Financial Regulations.

The Chair and Vice Chair of Council will also be ex-officio members with full voting rights of every Committee.

The Council cannot delegate certain specified decisions. The following will be matters for Full Council only (FR 1.13):

- Setting the final budget or the precept (council tax requirement)
- Approving the Annual Governance Statement
- Approving the Annual Accounting Statements
- Borrowing
- Writing off bad debts
- Declaring eligibility for the General Power of Competence

- Addressing recommendations in any report from the internal or external auditors

Additionally, the council must (FR 1.14):

- Determine and keep under regular review the bank mandate for all council bank accounts
- Approve any single grant or a single commitment in excess of £30,000
- In respect of annual salary for any employee, have regard to recommendations made by the relevant committee in accordance with its terms of reference

Unless council determines otherwise, a committee may appoint a sub-committee whose terms of reference and membership shall be determined by the committee. (SO 4a)

The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council. (SO 4b)

The council shall determine the terms of reference of standing committees (SO 4d (i)), the number and time of the ordinary meetings of the committee (SO 4d (ii)), appoint the members of the committee (SO 4d (iv)) and appoint the chairman of the committee (SO 4d (vi)).

The chairman of a committee may convene an extraordinary meeting of the committee at any time (SO 6c). If the chairman of a committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee, any 2 members of the committee may convene an extraordinary meeting of the committee. (SO 6d)

The quorum for each committee shall be one-third of the membership (with a minimum of three).

2. Standing Committees

2.1. Civic and Community Events

Membership

The Civic and Community Events Committee shall have a maximum of nine (9) members.

Quorum

Three (3) members must be present to constitute a quorum.

Meetings

The Civic and Community Events Committee shall meet at least five (5) times per year.

Terms of Reference

- Supporting the Civic Office in the day-to-day organisation of the agreed events.
- The management, organisation, and facilitation of Council led events (both Civic and Community)
- Publicity of the Council, including through the website, eNews, Social Media channels, printed media, and any other council publicity.
- Increasing income streams, including for fundraising purposes, within areas under the Committees terms of reference.
- The management of the council's Civic responsibilities.
- Increasing levels of public engagement with the council.

Scheme of Delegation

- To **decide** the number and type of civic events held during the year.
- To **decide** the number and type of large mayoral fundraising events held during the year.
- To **agree** and regularly review the council's marketing strategy.
- To **ensure** adequate risk assessments are completed for all events.
- To **agree** and regularly review the council's publications.
- To **prepare** annual committee budget estimates for review by the Policy and Finance Committee.
- To **manage** and **monitor** (at least on a quarterly basis) the income and expenditure against the approved budget for the committee.
- To **review** the success of events, including attendance levels and charitable profit made.
- To **review** regularly and strengthen communications with the Community effectively via the Councils Media platforms.
- To **consider** the environmental implications of Committee decisions.

2.2. Leisure, Amenities, and Environment

Membership

The Leisure, Amenities, and Environment Committee shall have a maximum of nine (9) members.

Quorum

Three (3) members must be present to constitute a quorum.

Meetings

The Leisure, Amenities, and Environment Committee shall meet at least five (5) times per year.

Terms of Reference

The maintenance, management, and improvements of outdoor facilities. This includes:

- Parks and PTC owned or managed Greenspaces throughout the Town
- Environmental Issues
- Playgrounds and Play Equipment
- Recreation Grounds and Sports pitches and facilities
- Seats and litter bins (other than those on public highways)
- The Town Council banner board
- Car parking provision and Centenary Park
- Council owned buildings (excluding Community House)

Making decisions in line with Council Policies, in particular those relating to climate change and the use of pesticides and to be proactive in ensuring that the Council's carbon neutral targets are met by 2030.

Submitting proposals for the following financial year to the Council not later than the end of October each year including any proposals for revising the forecast

Scheme of Delegation

- To **create and monitor** a management plan for each of Peacehaven Town Council's green spaces and public amenities (excluding Community House and LDC amenities). to ensure they are maintained and enhanced in line with Council policies.
- To **manage** the provision, maintenance and upgrading of Peacehaven Town Council's vehicles, equipment and buildings (excluding Community House).
- To **determine** annually all rents and charges (excluding Community House) for the use of all leisure and amenity facilities, including the commercial use of Peacehaven Town Council owned green spaces.
- To **manage** the provision of recreational facilities.
- To **monitor** safety checks and maintenance of all playground equipment owned by Peacehaven Town Council and to keep records of this for 7 years.
- To **recommend** to the Personnel Committee regarding matters relating to the council's staff engaged on the maintenance of grounds and facilities.
- To **prepare** annual Committee budget estimates for review by the Policy and Finance Committee.
- To **manage and monitor** at each committee meeting the income and expenditure against the approved budget for the committee.
- To **advise** on tenders and contracts for all aspects of maintenance and groundworks associated with recreational facilities in accordance with Peacehaven Town Council's financial regulations and with reference to its Policy and Finance Committee.
- To **recommend** to the Policy & Finance Committee on matters relating to leases and/or licenses for regular use of recreational facilities by groups, organisations or individuals.
- To **report** progress against the Council's Internal and Community Business Plans.
- To **consider** the environmental implications of Committee decisions.

2.3. Personnel

Membership

The Personnel Committee shall have a maximum of nine (9) members including the Chair and Vice-Chair of Council.

Quorum

Three (3) members must be present to constitute a quorum.

Meetings

The Personnel Committee shall meet at least five (5) times per year.

Terms of Reference

Overseeing matters relating to Council employees in line with relevant legislation and the Council's employment policies.

Dealing with matters which may arise and which are likely to directly or indirectly affect the terms and conditions of Council employees.

Scheme of Delegation

- To **approve** adverts, job descriptions, personnel specifications, and salary terms for staff vacancies.
- To **agree** interview panels **or delegate** authorisation to senior employees (as appropriate) in accordance with agreed council policy.
- To **review** the staff structure and employee terms and conditions of service, taking appropriate expert advice where necessary.
- To **assess** and act where necessary in respect of staff grievances in accordance with agreed council policy.
- To **assess** and act where necessary in respect of staff disciplinary in accordance with agreed council policy.
- To **approve** annual salary increases in accordance with the requirements of Financial Regulations.
- To **recommend** to Full Council the appointment or dismissal of Council employees.
- To **recommend** to the Policy and Finance Committee updates to the employee handbook and any other personnel related policies or procedures.
- To **consider** the environmental implications of Committee decisions.

2.4. Planning and Highways

Membership

The Planning and Highways Committee shall have a maximum of nine (9) members, where possible this should include at least one member from each ward.

Quorum

Three (3) members must be present to constitute a quorum.

Meetings

The Planning and Highways Committee shall meet at least once per month, except where there are no new planning applications or other business to be transacted.

Terms of Reference

To consider and comment on every planning application affecting Peacehaven. This includes:

- Planning applications
- Tree works applications
- Highways matters & issues
- Public transport

The management, maintenance, and improvement of PTC owned highways related facilities and furniture within the public realm, including:

- Bus shelters
- Bins
- Planters
- Lampposts and lighting
- Bollards
- Other PTC owned or managed street furniture.

Applications of a large or contentious nature may be referred to an extraordinary meeting of Full Council at the Discretion of the Chair of Council.

Scheme of Delegation

- To **comment** to the Local Planning Authority on applications for planning permission.
- To **comment** in respect of appeals against the refusal of planning permissions.
- To **agree** recommendations regarding street names.
- To **monitor** the Town and other developmental plans and the making of all appropriate representations.
- To **facilitate** economic development initiatives, including those pertaining to town centre matters, for the benefit of Peacehaven and make recommendations on all related matters, including liaising as appropriate with other agencies.
- To **comment** to the appropriate Planning Authority in respect of other planning matters not otherwise referred to.
- To **comment** to the appropriate authority in respect of highway matters and public transport services.
- To **comment** to Lewes District Council regarding Public Entertainment Licensing and Licensed Premises generally.
- To **manage** the Town Enhancement projects including shrub/flower planters as determined from time to time.
- Be **responsible** for the provision and maintenance of Town Council owned bus shelters, street/footpath lighting and shrub/flower planters.
- To **prepare** annual committee budget estimates for review by the Policy and Finance Committee.
- To **manage** and **monitor** (at least on a quarterly basis) the income and expenditure against the approved budget for the committee.
- To **agree** the frequency and the contractor for highway grass verge cutting on an annual basis.
- To **consider** the environmental implications of Committee decisions.

2.5. Policy and Finance

Membership

The Policy and Finance Committee shall have a maximum of nine (9) members including the Chair and Vice-Chair of Council and Chairs of the other Standing Committees.

Quorum

Three (3) members must be present to constitute a quorum.

Meetings

The Policy and Finance Committee shall meet at least five (5) times per year.

Terms of Reference

To manage the Council budget and its assets. This includes:

- Budget & finance, including planning/annual budgets/payment of accounts/financial audits/ setting of fees & charges
- Premises & Capital Assets, including Community House and its operation
- Capital projects and spend
- Licences, leases and agreements (other than Allotments)
- Monitoring and overseeing Corporate Governance arrangements
- Grant requests

Scheme of Delegation

- To **recommend** on any financial matters to be dealt with by Full Council (as outlined in the general terms of reference).
- To **review** and **adopt** appropriate policies to support the day-to-day administration of the council.
- To be **responsible** for matters not specifically delegated to any other standing committee.
- To **ensure** risk assessments are undertaken as appropriate.
- To **ensure** the council has adequate insurance.
- To **review** and update the Council's Asset register.
- To **agree** the Council's insurance requirements.
- To **be lead committee** in respect of any partnership initiative of a corporate nature with the principal Local Authorities for the area including the development of Joint Partnership Committees and constitutional matters.
- To **review** annual Committee budget estimates on all Terms of Reference referred to above not later than December.
- To **manage** and **monitor** at least on a quarterly basis the expenditure incurred and committed against the approved budget estimates for the Committee and monitor all other Standing Committees
- To **prepare** annual committee budget estimates, and review alongside other standing committee budget estimates to formulate a recommended budget and precept requirement for approval by Full Council.
- To **manage** and **monitor** (at least on a quarterly basis) the income and expenditure against the approved budget for the committee and council as a whole.
- To **consider** and **decide** on grant applications. At least one of its meetings each year will be devoted to the consideration of grant applications funded out of the Grants budget; applications for funding from this budget may, however, be considered at other times of the year too.
- To **support, monitor** and **implement** the parts of the Business Plan relevant to the committee and make recommendations to Council for revisions if/as required.
- To **oversee** all legal matters pertaining to leases, mortgage, insurance claims, insurance cover, damage to property, vehicle insurance and debt recovery.
- To be **responsible** for Community House, in liaison with the Civic and Community Events Committee.
- To **consider** the environmental implications of Committee decisions.

3. Officers

Terms of Reference for Officers are as laid out in job descriptions and statements of particulars.

3.1. Town Clerk

Scheme of Delegation

- To **act** as the Proper Officer¹ of the Council in carrying out all of its functions and to issue all notifications required by law.
- To be **responsible** for giving clear and accurate guidance to Councillors, including the Chair, to enable legal and considered decisions to be made.
- To be **responsible** for receiving correspondence on behalf of the Council and responding to, dealing with, or bringing correspondences to the attention of the Council as required.
- To assume **total responsibility for ensuring that the instructions of the Council are carried out** in connection with its function as a local authority.
- To **make orders and incur expenditure** within authorised budgets.
- To **be accountable** for the effective management of all of the Council's resources.
- To have **overall responsibility for the Council's administrative service**.
- To **act as a general manager** in respect of all of the Council's services, projects and initiatives.

¹ The responsibilities delegated by Council to the Proper Officer are as defined in Standing Order 15b.

- To **assume overall responsibility for the supervision of the Council's staff**, in keeping with the policies of the Council, and to ensure that all necessary activities are undertaken in connection with the management of salaries, conditions of employment and work of staff.
- To **ensure** that the contractual arrangements with the Council's contractors are organised on an acceptable basis.
- To **liaise with outside organisations** (locally, regionally and nationally) to strengthen the role of the Council and to effect improved communication.
- To be **responsible** for the Health, Safety, and Welfare of persons affected by the Council's undertakings.
- To **act** as the representative of the Council as required.
- To be **responsible** for maintaining, implementing and monitoring the effectiveness of the Council's procedural and policy documents, within the policy framework defined by the Council.

3.2. Responsible Financial Officer

Scheme of Delegation

- To **act** as the Council's Responsible Financial Officer as defined by the Local Government Act 1972 in ensuring that the Council's financial processes and records are acceptable and that the Council's finances are carefully administered.
- To **make orders, incur expenditure and process payments** within authorised budgets.
- To have **overall responsibility for the Council's accounts** and for the preparation of appropriate records for audit and VAT purposes.
- To **act** as the representative of the Council as required.
- To be **responsible** for preparing financial forecasts for the council and making recommendations to the Council regarding the required precept in the following year.
- To be **responsible** for assisting the council to secure economy, efficiency and effectiveness in the use of resources.
- To **ensure** that the Council has a sound system of internal control and management of risks.
- To **ensure** that financial control systems are observed, and that the Council's accounting records are kept up to date.
- To be **responsible** for all matters relating to internal or external audits.

4. Civic

4.1. Mayor of Peacehaven

Section 245 of the Local Government Act 1972 gave Parish Councils the power by resolution to give themselves the title of Town Council. The Chair of a Town Council is entitled to the title of Town Mayor. Peacehaven Parish Council made such a resolution and from 1979 has been a Town and the Chair has been Mayor.

Sections 15 & 34 of the Local Government Act 1972 require local councils to appoint a Mayor as the first business to be transacted at the Annual Council meeting. At the meeting at which the Mayor is elected (or before or at a later meeting, if so permitted by the council) they must sign a Declaration of Acceptance of Office and agreement to be guided by the Code of Conduct in the performance of their duties. The Mayor guides activities by managing the meetings of the council, ensuring that all Councillors have the opportunity to speak and that they keep to the point. A tie in votes may be settled by the casting vote exercisable by the Mayor when chairing a meeting.

Other than in regard to the casting vote, a Mayor has no more power than any other Councillor and has no power to make decisions without a resolution of the council.

The Mayor is the public face of the council and may be invited to official functions, where they must represent views of the council and not personal views. Section 15(5) of the Local Government Act 1972 enables a Mayor to be paid an allowance to meet the expenses of their office.

The Mayor is the Chair of the Council and as such is the First Citizen of the Town of Peacehaven. The Mayor is the ambassador of the town and can help in the promotion of the council's objectives in the local community. In turn, the people of the town will have the highest regard for their Mayor, and they will expect the Mayor to carry out a full range of duties on their behalf and throughout the town.