



# Abingdon-on-Thames Town Council

## Terms of reference and scheme of delegations to committees and officers

Document control				
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V1	12.5.25	T7/25	Agreed at meeting and added to document	18.5.26
V2		E4/24	Page 10: Changed 'Abingdon in Bloom' to 'Abingdon flower displays'	

### 1) INTRODUCTION

- a) Section 101 of the Local Government Act 1972 allows local councils to appoint one or more committees or sub-committees to discharge any of its functions. It is not necessary for the council to ratify committee decisions where a delegation applies.
- b) The membership of committees is fixed by the council and the membership of sub-committees and working groups/parties is set by the appointing committee. In constituting such sub-committees and working groups/parties, the council or committee shall have full regard to the implications on the members and officers of creating sub-committees and working groups/parties.
- c) The scheme outlined below may be amended at any time by the council.

## 2) DEFINITIONS

- a) In this scheme, the following words and phrases shall be given the meanings outlined below:
- b) “Council” refers to Abingdon-on-Thames Town Council.
- c) “Council matters” means those items specifically included in the approved terms of reference as falling within the specific purview of the council.
- d) “Committee” means one of the following standing committees, the terms of reference of which may be found on the pages indicated:
  - i) Finance, Governance and Asset Management committee
  - ii) Community committee
  - iii) Environment, Amenities and Infrastructure committee
  - iv) Planning committee

## 3) GENERAL

- a) **Compliance with the law:** committees can only act within the law and in accordance with the council’s approved standing orders and financial regulations.
- b) **Budgets**
  - (1) Committees can only exercise delegated powers if there is budgetary provision for any proposed expenditure. They can vire monies within their overall budget in accordance with the provisions of the council’s financial regulations.
  - (2) Committees will be able to utilise those earmarked reserves for which control is delegated by the council.
  - (3) If no budgetary provision is available, delegated powers may only be exercised subject to obtaining approval for a supplementary estimate. This must be done through referring the matter to the full council following consultation with the Town Clerk and the Chair of the Finance, Governance & Asset Management committee.
- c) **Committee conflict/overlap:** as far as possible decisions should be made either by a standing committee or by full council. There may be occasions when there is ambiguity about which committee has powers to deal with a particular matter. In such cases, the matter shall be resolved by the Town Clerk or other appropriate officer delegated to act in conjunction with the Chairs of the two relevant committees.

- d) **Council matters:** committees may report or make recommendations to council in relation to council reserved matters (as set out in section 5). They shall not have delegated powers to determine such matters but may report or make recommendations to council.
- e) **Concurrent powers:** the council may at any time exercise any of the duties and powers within the scheme which are delegated to the council's committees or sub-committees. A committee may at any time exercise any of the duties and powers of its sub-committees or working groups/parties.
- f) **Co-opted members:** non-members of the council may be co-opted to a standing committee if approved by a majority vote of the elected members of the relevant committee. Committees may co-opt non-members to any advisory committees, sub-committees or working groups/parties which may be established. Co-option of non-council members to any entity requires the approval of the parent standing committee. In accordance with legislation, co-opted members have no voting rights and, if a co-opted member is appointed to Chair a meeting, he/she has neither an original nor a casting vote. The position of co-opted members shall be reviewed annually by the relevant standing committee.
- g) **Committee membership:** the Mayor is an ex-officio voting member of all the council's standing committees and of all sub-committees and working groups/parties. The Mayor may not be Chair of any committee or sub-committee. A member may not be Chair of more than one standing committee. The Chair of the Finance, Governance & Asset Management committee is an ex-officio voting member on all the council's standing committees and an ex-officio voting member of all sub-committees and working parties.
- h) **Political Balance:** whilst the council is not subject to the provisions of the Local Government and Housing Act 1989 concerning the allocation of places between representatives of political groups, the council will endeavour to retain an appropriate balance in terms of the overall allocation of committee places.
- i) **Considerations with regard to decision-making:** in making any decisions or recommendations, each committee should consider the implications in relation to:
- the council's agreed strategy;
  - best practice;
  - existing council policies;
  - crime and disorder;
  - the environment;
  - finance;
  - staffing implications.

#### **4) GOVERNANCE PRINCIPLES OF THE COUNCIL**

- a) The town council is the sovereign elected body from which all delegated authority flows. It reserves to itself those matters that it is required to consider by statute, together with other matters of overall policy, governance, civic responsibility, significant finance, budgeting, or other aspects of resourcing.
- b) The council may delegate any other matter as it sees fit either to officers via the Town Clerk or to a committee of three or more members. In principle, all day-to-day decisions required in connection with the running of the council are delegated to the Town Clerk, and through the Town Clerk to officers of the council, subject to periodic review against agreed criteria by the relevant committee or full council.
- c) Subject to observance of decisions of the council on matters of principle or policy, all of the town council's powers and duties which have not been specifically reserved shall be delegated to the committees in accordance with the terms of reference below unless otherwise specified.
- d) Committees may resolve all matters within their terms of reference. Terms of reference shall include:
  - i) delegations of strategic development work in accordance with a committee's remit;
  - ii) agreeing performance standards for operational activities and periodical performance review in designated operational areas;
  - iii) providing officers with review and steering feedback during the development of significant pieces of work (e.g. development of the annual budget).
- e) Where matters arise which involve council reserved powers (for example, the budget), these committee decisions should be referred to the full council as a recommendation.
- f) The acts and proceedings of a committee shall:
  - i) where they are delegated to the committee, so far as is legally permissible, be deemed to be the acts and proceedings of the council;
  - ii) As regards other matters, be subject to resolution by the council;
  - iii) In all respects, be subject to the provisions of the council's Standing Orders and Financial Regulations except as otherwise determined by the council.

- g) The council may resolve to review any committee decision at any time. The council may at any time without prejudice to executive action already taken revoke any executive power delegated to a committee.
- h) The Town Clerk and the Responsible Financial Officer will report regularly and in a timely manner to the Town Council and committees on all significant actions undertaken using their delegated authority.
- i) The terms of reference of all committees are subject to the following reservations:
  - i) that powers be exercised in accordance with any policy adopted, or directions given, by the town council;
  - ii) that any proposal which involves major changes in the existing policies approved by council shall be submitted to the town council for approval;
  - iii) urgent/emergency matters which would normally be referred to a committee may be dealt with by the Town Clerk in accordance with their delegated powers, acting in consultation with the Chair and Vice-Chair of the relevant committee. Any action taken under these provisions will be reported to the appropriate committee or the council at the next available opportunity.
- j) Committees will bring to the attention of the council any matters being pursued by other local authority, statutory, voluntary or other bodies which may affect Abingdon-on-Thames.
- k) There will be a 15-minute public session at the start of every council and committee meeting, during which residents, local groups or representatives of relevant organisations shall be entitled to speak, providing due notice is provided. This is subject to a separate scheme.

## **5) FULL COUNCIL POWERS RESERVED (Council Matters)**

- a) The following powers are reserved to the full sovereign body of the council. Committees may make recommendations in respect of these powers but decision making in these areas shall only be made by council:
  - i) the power to raise loans, approve the annual budget, and set the precept;
  - ii) the power to incur capital expenditure not specifically included in the council's approved estimate of expenditure for the relevant financial period;
  - iii) standing orders and the functions and constitution of committees and sub-committees;

- iv) set the date of meetings of the council and committees. The Chair of a committee/sub-committee may, with the agreement of the Town Clerk, cancel a scheduled meeting or change its date;
- v) appointment or nomination by the council of persons to fill vacancies on outside bodies;
- vi) filling of vacancies occurring on any committee or sub-committee of the council during the council year;
- vii) the appointment or dismissal of the Clerk to the Council (the Town Clerk);
- viii) cessation of any council service;
- ix) granting of civic honours such as Honorary Freedom or Twinning Awards;
- x) Periodically review the council's Strategic Plan which defines the council's long-term objectives and work-plan.
- xi) any other matter required by law to be determined by the council and which cannot be delegated to a committee, sub-committee or officer, or which the council may determine as council business and any other matter that has not been delegated to a committee, sub-committee or officer.

## 6) COMMITTEE TERMS OF REFERENCE AND DELEGATIONS

### a) Finance, Governance and Asset Management committee

- i) **Membership:** Seven Councillors including the Chairs of all other committees, the Chair of the Personnel Sub-Committee, plus the Mayor (ex officio).
- ii) **Committee Purpose:**
  - (1) **Strategic:** Define and oversee projects, programmes and services which work towards the council's objective "To manage the Council's assets efficiently and effectively to meet the needs of the community now and in the future."
  - (2) **Operational:** Agree performance standards for identified functions set out below and periodically review process efficiency and operational performance against those standards.
    - (a) Oversight of the Strategic Plan
    - (b) Corporate management

- (c) Central services, administration and Roysse Court office
- (d) Corporate governance
- (e) Democratic services
- (f) Finance, budgeting and risk management
- (g) Property management (except where specifically delegated to other committees)
- (h) Human resources and staffing
- (i) Grants made by the council (unless delegated to a committee of the council in the subsequent clauses)

**iii) Specific Delegations**

1. To deal with all matters pertaining to the performance, terms and conditions of service, and superannuation of the council's staff and making appropriate recommendations, relying where appropriate on the Scheme of Conditions of Service of the National Joint Councils, the National Association of Local Councils, and any approved local conditions of service.
2. To oversee all matters relating to staffing, including appointments and terms and conditions of service and HR policies.
3. To ensure that the training needs of members and staff are met and to ensure that the council provides a safe working environment regarding health and safety and other statutory obligations.
4. To recommend to council the annual budget, variations and supplementary estimates relating to budgets of the standing committees and any corporate plans, strategies and policies.
5. To advise the council on the financial implications and funding of any capital or revenue projects.
6. To advise the council in relation to the disposal, acquisition or renewal of any property interests.
7. To oversee the council's relationship with tenants and lessees and both the council's and the tenant's/lessee's compliance with their obligations under the applicable legal agreement.
8. To receive notification of monies arising from the Community Infrastructure Levy (CIL) and make recommendations to council on the use of CIL funds.
9. To make recommendations to council in relation to approval or delegation to a committee of the control of draw-downs from the council's earmarked reserves;
10. To make recommendations to council in respect of applications from other committees to draw on the council's pooled property fund.
11. To agree a programme of internal audit and to ensure that all areas for improvement identified therein are actioned accordingly.
12. To receive reports from auditors and to make recommendations

regarding any matters arising from such reports.

13. To approve payments of accounts in accordance with the standing orders, to monitor the level of council income and expenditure compared with the council's approved estimates and to control the management of the council's financial resources including bank accounts and investments.
14. To oversee the collection of income and the write-off of irrecoverable debts as detailed in the council's financial regulations;

## **b) Community committee**

i) **Membership:** Seven Councillors plus the plus the Mayor and the Chair of the Finance, Governance and Asset Management committee (ex officio).

ii) **Committee Purpose:**

- (1) **Strategic:** to work with community partners to support residents, in particular those who are vulnerable and in need, and to create opportunities to increase community cohesion and inclusivity.
- (2) **Operational:** agree performance standards, activities and goals for the functions set out below and review operational performance against these.
  1. community engagement and communication;
  2. the council's community events programme;
  3. information services;
  4. management and control of related budgets;
  5. Civic and Mayoral services;
  6. the annual Christmas lights display in the town centre;
  7. the annual street fairs;
  8. the operation of the Guildhall Historic Buildings;
  9. the County Hall Museum service;
  10. The town archives.

iii) **Specific Delegations**

- (1) Develop and, subject to council approval, implement a workplan aimed at meeting the committee's strategic objective through;
- (2) Dealing with aspects relating to the effective management and operation of the County Hall Museum and the Guildhall Historic Rooms;
- (3) Working in partnership with public sector, private sector and third sector bodies in fulfilling the Council's functions and enhancing the local economy to enable local business to contribute to town life;

- (4) Lobbying infrastructure actors and providers in respect of Abingdon priorities relating to the strategic objective.
- (5) To scrutinise the objectives and policies of the Council to ensure that, as far as is practicable, services are inclusive of all sections of society, and are free from any discrimination or prejudice.
- (6) To consider the provision of community events of the widest possible appeal and accessibility, organised by the council or in partnership with other organisations, and to establish an annual programme of such events which can demonstrate that they contribute to delivery of strategic objectives.
- (7) To consider community safety matters, including liaising with other authorities regarding matters including policing, neighbourhood warden schemes and CCTV. As part of this process, the town council part-funded PCSO should be invited to attend and report to this committee regularly.
- (8) To manage and organise the council's civic events programme with the proviso that any material changes or new dates being added in will be referred to the council for decision, including any proposals for a Bun-Throwing Ceremony.
- (9) To be responsible for all aspects of the Council's Markets service/provision, including use of the Market Place and the annual Fairs;
- (10) Consideration of financial grants to organisations;
- (11) To liaise with local voluntary organisations regarding the development of community services;
- (12) To oversee the operation of the Information Centre and shared reception with Oxfordshire Registration Service for the benefit of residents and visitors.
- (13) The organisation of any Council twinning activities.
- (14) Oversee external communications through a multimedia strategy to include the Town Crier and other publications, the website, social media, noticeboards, emails, press releases and public contact.
- (15) To regularly consider an annual rolling publicity and communications plan.
- (16) To oversee brand management, style guides and key messaging of the council.
- (17) To ensure there is an effective internal communication strategy.
- (18) Consider ways to engage with all residents, including those not presently engaged with services.
- (19) To maintain the town's archives and treasures at County Hall Museum, in the Guildhall, the Council offices and in storage elsewhere, including the Muniment Room and to ensure their documentation in accordance with approved standards, their security and most effective use.
- (20) To establish a museum sub-committee to oversee the activity of the museum service.

- (21) The membership of the museum sub-committee shall be six Councillors plus the Mayor and the Chair of Finance, Governance and Asset Management Committee (ex officio).
- (22) The sub-committee purpose shall be to consider all aspects relating to the effective management and operation of the County Hall Museum.  
Specific delegations:
  - 1) To oversee museum service policies, approve service programmes of work, monitor performance and take decisions in respect of the County Hall Museum;
  - 2) To review the ongoing programme of events at the County Hall Museum prepared and managed by museum staff;
  - 3) To support the work of museum staff in the maintenance of the town's archives and treasures at the County Hall Museum, the Guildhall, the council offices and in storage elsewhere and to ensure their documentation in accordance with approved standards, their security and most effective use.

### **c) Environment, Amenities and Infrastructure committee**

- i) **Membership:** Seven Councillors plus the plus the Mayor and the Chair of the Finance, Governance and Asset Management committee (ex officio).
- ii) **Committee Purpose:**
  - (1) **Strategic:** to address the council's key objectives:
    - 1. To respond effectively and speedily to the climate emergency.
    - 2. To develop a resilient, sustainable town that will provide a home for residents now and in the future.
  - (2) **Operational:** Agree performance standards for identified functions set out below and periodically review process efficiency and operational performance against those standards. Oversee all matters related to amenities and recreation falling within the purview of Abingdon-on-Thames Town Council:
    - (a) Adverse weather arrangements;
    - (b) Allotments;
    - (c) Abingdon flower displays [amended by committee 2.6.25, minute E4/25];
    - (d) Cemeteries - burials and maintenance;
    - (e) Closed Churchyards;
    - (f) Consultations on all infrastructure matters
    - (g) Direct infrastructure

- (h) Fisheries;
- (i) Maintenance of trees on Town Council land and working towards increasing tree cover;
- (j) Recreation areas, play areas, the town's open spaces, amenity land and sports pitches;
- (k) Roysse Court garden;
- (l) War memorial;
- (m) Keeping the town tidy through grounds maintenance, litter picking and general management on areas which are the responsibility of the Town Council and where there is an agency agreement with another authority to provide such services;
- (n) The Council's Works Depot, transport, plant and equipment;
- (o) Development and delivery of a biodiversity strategy;
- (p) working with other landowners and organisations to achieve the Town Council's strategic objectives.

**iii) Specific Delegations**

1. To review council services and internal operations and make recommendations on ways in which the council can reduce damage to the global and the local environment through its policies and practices in the delivery of its services.
2. To consider the Council's environmental initiatives, and in particular to co-ordinate and make recommendations relating to its policies relating to the environment.
3. To advise on how the council can contribute to:
  - a. national legally binding targets on the climate emergency
  - b. countywide targets on the climate emergency through the Oxfordshire Local Environment Partnership (OEP)
  - c. the Strategic Vision for Sustainable Development in Oxfordshire
4. To establish service policies, approve programmes of work, monitor performance and take decisions in respect of those operational areas detailed above
5. To regularly review the council's progress to comply with the agreed motion of 20 March 2019 to make Abingdon-on-Thames Town Council as carbon neutral as possible by 2030.
6. To provide community leadership and raise awareness in relation to the climate emergency and sustainability, working with and engaging with public sector partners, businesses, community groups and residents.
7. To oversee bids for funding relating to the climate emergency and improving the environmental impact of its actions.
8. To establish service policies, approve programmes of work, monitor performance and take decisions in respect of operational areas.
9. To oversee all arrangements within the town relating to recreation areas

and open spaces, including the responsibilities of the various local authorities and arrangements in place for the management and maintenance of open spaces.

10. To oversee the provision of allotments and cemeteries.
11. Direct infrastructure services and projects including street furniture in areas which are the responsibility of the town council.
12. To consider other matters relating to the physical environment of the town which are not under the direct control of the council, including disabled access issues (excluding those relating to Town Council services), and recycling of waste materials.
13. To support active travel in and around Abingdon.
14. To work in partnership with public sector, private sector and third sector bodies to support and enhance the local economy.
15. To lobby infrastructure actors and providers in respect of Abingdon priorities relating to the town council's strategic objectives.
16. To consider all matters relating to highways, footpaths and bridleways, and to make representations to other authorities regarding these matters.
17. To consider all other consultations as may in relation to services operated in the town including leisure and recreation, health care/ service provision and policing and, if the Committee considers it to be necessary and taking in to account the timescale of the consultation, to refer such consultations on to other Council committees.
18. To support active travel in and around Abingdon, including responsibility for the budgets in relation to transport.

#### **d) Planning Committee**

- i) **Membership:** Six councillors plus the Mayor and the Chair of the Finance, Governance and Asset Management committee (ex officio).
- ii) **Committee Purpose:**
  - i. **Strategic:** Define and oversee projects, programmes and services which work towards the Council's objective "To manage the Council's assets efficiently and effectively to meet the needs of the community now and in the future."
  - ii. **Operational:** To manage all matters relating to planning and licensing on behalf of Abingdon-on-Thames Town Council. The council is consulted by the district council in relation to planning applications and licensing applications. To exercise this power in an efficient, effective and focused manner the council will appoint a planning committee comprising of five members, including a Chair and Vice Chair, which will meet approximately every three weeks to consider planning applications.

**iii) Specific Delegations**

- 1) The Council will have authority to consider and comment on any plans which have been registered on the district council's website and about which the town council has been asked for its views.
- 2) Make recommendations to the district council on street naming and to make representations regarding house naming and street numbering.
- 3) To consider and monitor strategic, county, district and other developmental plans, proposed listed buildings, conservation areas, tree preservation orders and building preservation orders which impact upon Abingdon-on-Thames, and the making of all appropriate representations.
- 4) Oversee the town council's involvement in the development of a neighbourhood plan.
- 5) Review, adopt and develop other planning policies which it may consider to be desirable for Abingdon-on-Thames.
- 6) Make representations to the appropriate planning authority in respect of other planning matters not otherwise referred to.
- 7) To consider all matters relating to transportation and car parking issues, traffic regulation orders, and to make representations to other authorities regarding these matters.
- 8) To consider all matters relating to Licensing referred to the council by the Vale of White Horse District Council Licensing team.
- 9) To consider and to make recommendations to other authorities regarding applications in respect of applications for liquor, gaming and public entertainments licences.
- 10) To convene a multi-agency Traffic Advisory committee in accordance with the constitution agreed between the relevant local authorities

## **7 DELEGATIONS TO OFFICERS**

**i) Proper Officer**

- (1) The Town Clerk shall be the Proper Officer of the council and as such is specifically authorised under the council's standing orders to:
  - (a) receive declarations of acceptance of office;
  - (b) receive and record notices disclosing personal and prejudicial interests;
  - (c) receive and retain plans and documents;
  - (d) sign notices or other documents on behalf of the council;
  - (e) receive copies of by-laws made by the district council;
  - (f) certify copies of by-laws made by the council;
  - (g) sign summonses to attend meetings of the council.

- (2) In addition, the Town Clerk has the delegated authority to undertake the following on behalf of the council and the power to further delegate matters to other officers:
- (a) the day-to-day management of the council together with routine inspection and control;
  - (b) the supervision and control of all staff employed by the Council, including recruitment;
  - (c) the authorisation of expenditure within the agreed budget up to a limit of £20,000 per item, subject to normal provision for ensuring value for money;
  - (d) respond to planning consultations in line with delegations from the Planning committee;
  - (e) maintain records of progress against council resolutions requiring action and review periodically;
  - (f) address actions specifically delegated by the council.

**ii) Responsible Finance Officer**

- (1) The Town Clerk shall be the Responsible Financial Officer to the council and shall be responsible for the council's accounting procedures in accordance with the accounts and audit regulations in force at any given time.
- (2) The Town Clerk/Responsible Finance Officer will work with the Mayor, the council and committees to establish annual budgets and precepts which reflect agreed workplans to meet the council's corporate objectives.