

Bradford on Avon Town Council



Committee Terms Of Reference 2019

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**BRADFORD
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TOWN COUNCIL

Control and Adoption:

Action:	Who:	Date:	Comment:
Drafted	Ops Manager	28th May 2019	
Agreed	Town Clerk	12 th June 2019	
Consultation	Committee Chairs		
Consultation	Members	10 th June 2019	Town Conference
Adopted	Full Council	2 nd July 2019	
Adopted	Town Development Committee	24 th July 2019	Changed TOR's for this committee
Agreed changes (in blue font) to Resources Committee's TOR	Resources Committee	24 th Sept 2019	Recommended to Full Council
Agreed changes for Resources Committee and quorums for Town Development, Highways & Transport, Community & Recreation, Resources, committees reduced to 3.	Full Council	9 th Oct 2019	



Committee Structure and Membership for Bradford on Avon Town Council 2019/20	
Environment & Planning Committee	Community & Recreation Committee
1 Cllr Alex Kay (Chairman)	1 Cllr Emma Franklin (Chairman)
2 Cllr David Garwood	2 Cllr Dom Newton (Leader of the Council)
3 Cllr Tom Lomax	3 Cllr Alex Kay
4 Cllr Dom Newton	4 Cllr Jim Lynch
5 Cllr Jennie Parker	5 Cllr Simon McNeill-Ritchie
6 Cllr Emma Franklin	6 Cllr Jennie Parker
	7 Cllr Mike Roberts
	8 Cllr Dan Taylor
Town Development Committee	Resources Committee
1 Cllr Simon McNeill Ritchie (Chairman)	1 Cllr Dom Newton (Chairman & Leader of the Council)
2 Cllr Dom Newton (Leader of the Council)	2 Cllr Alex Kay
3 Cllr Alex Kay	3 Cllr David Garwood
4 Cllr David Garwood	4 Cllr Laurie Brown
5 Cllr Laurie Brown	5 Cllr Emma Franklin
6 Cllr Emma Franklin	6 Cllr Tom Lomax
7 Cllr Tom Lomax	7 Cllr Simon McNeill-Ritchie
8 Cllr Mike Roberts	8 Cllr Jennie Parker
9 Cllr Dan Taylor	9 Cllr Mike Roberts
Highways & Transport Committee	
1 Cllr Dom Newton (Chairman and Leader of the Council)	
2 Cllr Alex Kay	
3 Cllr David Garwood	
4 Cllr Mike Roberts	
5 Cllr Tom Lomax	
6 Cllr Simon McNeill-Ritchie	
7 Cllr Jim Lynch	

Committee Terms of Reference



**BRADFORD
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Introduction

1. Creation of Committees

Under the Local Government Act 1972, The Town Council created the following committees at the Annual Town Council Meeting on May 15th, 2018.

- Community and Recreation
- Environment and Planning
- Town Development
- Highways and Transport
- Resources

2. Aims

This document, which is adopted as policy by the Council, lays out the Terms of Reference for each committee, and the interactions between the committees.

The arrangements will be reviewed no less than annually, and as often as required to ensure the efficiency of the decision-making.

3. Powers of Committees

3.1 Delegated Items

The Full Town Council will delegate such powers to committees, and it sees fit, within its own powers, these powers are identified in this document. **No committee** may act in a way which exceeds these powers.

3.2 Non-Delegated Items

Powers not explicitly delegated to Committees are deemed to be reserved to the Full Town Council

3.3 Spending by Committees

Each Committees will be provided with an annual budget which is agreed by the Full Council as part of the budget setting process. An individual item spending cap will also be put in place, items above that cap will be subject to scrutiny by the Resources Committee, or Full Council, whichever is sooner.

Items in excess of £30,000 shall be referred to Full Council along with any items requiring the Council to incur a loan.

3.4 Non-Councillor members

Individual committees have the power to appoint non-councillor members as required subject to oversight from the Resources Committee. This does not include Resources Committee or Full Council. Non-councillor members will be not be allowed to vote.

4. Spending Limits

4.1 The delegated committee item spending limit/cap are set out in the table below; these have been revised as per the financial regulations 2019.

Committee	Delegated Spending Limit (per proposal)
Community and Recreation	£10,000
Environment and Planning	£10,000
Highways and Transport	£10,000
Resources	£30,000
Town Development	£10,000

4.2 The Town Clerk and Operations Manager are delegated spend authority of up to £5,000, or any regulatory requirements upon the Town Council.

Full Council

The following matters shall be reserved for decision by the 12 Members of Bradford on Avon Town Council, but the appropriate committee/s make the recommendation for the Councils consideration:



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1. Set the precept
2. Agree budget
3. Authorise the borrowing of money
4. Making, amending or revoking Standing Orders, Financial Regulations and Terms of Reference
5. Making, amending or revoking By Laws
6. New powers or duties
7. Making of orders under Statutory Powers
8. Authorising the sealing of various documents with the Common Seal
9. Matters of principle or policy
10. Prosecution or defence in a Court of Law
11. Appointment of the Leader of the Council
12. Appointment of the Town Mayor and Deputy Town Mayor
13. Appointment of Committee chairman
14. Appointment of Committees, and the names and Members appointed to each Committee.
15. Determining the functions and constitution of Committees and Sub-Committees.
16. Appointment of Sub-Committees and project steering groups (task limited) and Working Groups
17. Confirms the schedule of meetings of the Town Council and its' Committees for the ensuing year
18. Nomination or appointment of representatives of the Town Council on any authority, organisation or body (except approved conferences or meetings)
19. Nomination or appointment of representatives of the Council to any enquiry or matters affecting the Town
20. Actions on comments and recommendations made by the External Auditor
21. Receipt of reports and recommendations referred to the Town Council from the various Committees, Sub-Committees and Working Groups
22. Any other matters not delegated to a Committee or Sub-Committee or matters referred to the Council by Committees or Sub-Committees
23. To deal with all issues where time prevents them being referred to the relevant Committee
24. To approve comments on planning applications if referred by the Environment and Planning Committee
25. To approve statements one and two for the AGAR (Annual Governance and Accountability Return)
26. To adopt annually various policies of the Town Council.
27. To adopt to use the General Power of Competence.

Community and Recreation



1. Membership

- 1.1 Seven Members plus Chairman of the Council and Leader of the Council ex-officio
- 1.2 The Chairman will be elected at the Annual Full Council meeting
- 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
- 1.4 No business may be transacted at the meeting unless at least 3 members of the committee are present
- 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Community and Recreation committee will manage social, community and recreation policy. Developing initiatives and oversight of the services that council provide in relation to recreation, youth services, health and wellbeing. The committee will work in liaison with the Local Youth Network and Health and Well Being area board groups.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

- 3.1 Community Engagement
- 3.2 Liaise with Wiltshire Council Area Board and the wider community area parish councils
- 3.3 Grant making to support the local community, within the terms of the council's aims
- 3.4 Health and Wellbeing initiatives
- 3.5 Youth Services
- 3.6 Provision for older and vulnerable older people including dementia and dementia friends.
- 3.7 Arts, Sports and Leisure activities
- 3.8 Policy regarding the provision of the following services; Parks, Open Spaces, assets owned or managed by the Town Council
- 3.9 Liaise with Police and other statutory providers and other relevant agencies
- 3.10 Liaise with community organisations which have an interest in recreational facilities in the Town
- 3.11 Oversee proposals, including applications for funding, that fall within these Terms of Reference
- 3.12 Community Services in the town and surrounding areas
- 3.13 To identify and promote projects that will involve or provide activities for people of all ages
- 3.14 To consider any matters including the Arts or Sport or Leisure activities
- 3.15 To act as steering committee for commissioned Youth Services
- 3.16 Any other matters referred to it by Full Council, which is not within their Terms of Reference

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters:



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- 4.1 Provision of additional recreational facilities deemed necessary or desirable
- 4.2 Improvements to services within the Committees' sphere of responsibilities
- 4.3 To make proposals following any investigation or review of any matter relating to youth work in the town
- 4.4 To make proposals following any investigation or review of any matter relating to The Arts and Sports or Leisure activities.
- 4.5 Any other matters referred to Community and Recreation Committee by the Town Council which is not within these Terms of Reference
- 4.6 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Environment and Planning



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1. Membership

- 1.1 Six Members plus Chairman of the Council and Leader of the Council ex-officio
- 1.2 The Chairman will be elected at the Annual Full Council meeting
- 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
- 1.4 No business may be transacted at the meeting unless at least three of the members of the committee are present
- 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Environment and Planning committee will develop environmental policy and initiatives, undertake the council's statutory consultee function and provide planning development advice to Full Town Council

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion

- 3.1 Environment and Ecological strategy
- 3.2 Liaising with Wiltshire Council following and other relevant agencies on the Council's declaration of Carbon Neutral 2030
- 3.3 Develop and deliver initiatives to support the Councils declaration of Carbon Neutral 2030
- 3.4 Planning Applications
- 3.5 To comment on behalf of the Council on planning applications having due regard for the Town Councils policies
- 3.6 Planning Enforcement referral to Wiltshire Council
- 3.7 In cases where the Committee is unable to meet in time to respond, delegate power to the [Clerk](#) to meet with a minimum of three Members (to include Chairman and/or Vice Chairman) to comment on behalf of the Council on planning applications and report to the next planning committee meeting
- 3.8 To undertake all powers and duties of the Council in respect of Neighbourhood Planning and Development under the Localism Act
- 3.9 To make suggestions in respect of street naming
- 3.10 To make representations involving Listed Buildings and the Conservation Area in Bradford on Avon
- 3.11 Public Services- to act as the consultee, make representations and support as required all matters relating to:
 - Housing Strategy
 - Utility Services (gas, electricity, telecommunications, water sewage, flooding etc)
 - Waste Infrastructure
 - Mineral extraction
 - Planning policy changes
- 3.12 Any other matters referred to it by Full Council, which is not within their Terms of Reference

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters

- 4.1 The Committee had delegated authority to deal with the following aspect of Town Councils functions:



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- 4.2 Strategic housing needs planning (for referral to Full Council)
- 4.3 Making recommendations to the Council following any investigation or review of any matter relating to the town architectural heritage and character of its built and natural environments
- 4.4 Making recommendations to the Council following any investigation or review of any matter relating to local community schemes to reduce the environmental impact on the town
- 4.5 Any other matters referred to the Planning and Environment Committee by the Town Council which is not within these Terms of Reference
- 4.6 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Highways and Transport



1. Membership
 - 1.1 Seven Members plus Chairman of the Council and Leader of the Council- ex officio
 - 1.2 The Chairman will be elected at the Annual Full Council meeting
 - 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
 - 1.4 No business may be transacted at the meeting unless at 3 the members of the committee are present
 - 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Highways and Transport committee will develop and promote an agreed strategy on air quality, pedestrian safety, reducing congestion and the delivery of complementary tactical initiatives and liaison with the Wiltshire Council Community Area Transport Group (CATG) to improve transportation within the town.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion

- 3.1 To make observations as necessary, to the responsible authority or organisation on matter affecting the public transport in the Town
- 3.2 To maintain existing bus shelters and street furniture and to consider provision of new items where necessary within the approved budget
- 3.3 To consider and resolve issues affecting roads which the Town Council is consulted in or which the Town Council has interest, except those issues to be referred to Full Council
- 3.4 Investigate methods of improving the traffic situation and transportation system within the town
- 3.5 Engage with Wiltshire Council to devise and implement measure to try to reduce traffic-related problems in and around the town
- 3.6 To make reports and consider recommendations from Wiltshire Council Community Area Transport Group (CATG)
- 3.7 Liaise with Lorry Watch and relevant stakeholders
- 3.8 To liaise with Wiltshire Council on the maintenance of footpaths and cycleways.

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters

- 4.1 To highlight, after investigations or review any transport matter relating to, or impacting on Bradford on Avon
- 4.2 Any other matters referred to the Highways and Transport Committee by the Town Council which is not within these Terms of Reference
- 4.3 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Resources



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1. Membership

- 1.1 Six Members, plus the Leader of the Council who will be the Chairman
- 1.2 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
- 1.3 No business may be transacted at the meeting unless 3 members of the committee are present
- 1.4 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Resources committee will act as the council scrutiny committee in all matters that are referred and for all committee expenditure over capped committee spending levels. The committee will have responsibility for financial management, including budgeting and oversight, HR matters, governance policies and IT.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

- 3.1 To confirm all financial accounting matters except setting of the precept and borrowing of money
- 3.2 To receive quarterly Accounts Management Reports and Internal Audit Reports
- 3.3 To receive reports on sample testing for accuracy of paid invoices of goods and services
- 3.4 To receive reports on sample testing for accuracy and prompt payment of Sundry Debtor Invoices
- 3.5 Draft Budget prior to the Annual budget Meeting
- 3.6 Setting and agreeing of fees and charges along with terms and conditions
- 3.7 Chairman of Resources Committee to carry out the Town Clerks staff appraisal and agree objectives with HR representative present.
- 3.8 To delegate to the Town Clerk and [Director of Operations](#) the advertising of staff appointments and to arrange interviews and appointment of new staff, other than for the position of Town Clerk or [Director of Operations](#)
- 3.9 To agree with the Town Clerk any issues relating to staffing levels/structure and re-grading/pay rates
- 3.10 To deal with and staff complaint concerning the Town Clerk
- 3.11 To deal with any staff matters referred by Town Clerk
- 3.12 To consider and bring to conclusion any matters emanating from Grievance and Disciplinary procedures contained in the Contract of Service applicable to members of staff employed by the Town Council and be the point of contact for any appeal
- 3.13 To agree the training requirements for staff and councillors within the agreed budget
- 3.14 Specific matters referred by the Town Council or those not specific to another Committee
- 3.15 To agree Service Level Agreements with external agencies
- 3.16 To act as Scrutiny Committee
- 3.17 To act as a Tender Committee, where no other has been appointed, as and when necessary and to report the outcome of any tendering procedure to the relevant committee within budget
- 3.18 All rent reviews and lease renewals of Town Council property
- 3.19 Seeking of grants for Town Council projects
- 3.20 To ensure that the Council complies with Health and Safety legislation
- 3.21 To ensure that the Council complies with GDPR and Information Management legislation
- 3.22 Communications
- 3.23 Oversight of the management and administration of all council operations
- 3.24 To deal with consultations which time prevents being presented to Full Council



4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters:

4.1 All matters of policy (council and public)

4.2 Be responsible and monitor all aspects of corporate governance- according to four fundamental principles of corporate governance:

- Openness
- Integrity
- Inclusivity
- Accountability

4.3 Monitor the Council's Business Plan

4.4 Review the Town Councils Standing Orders and Financial Regulations as and when necessary

4.5 To interview for senior staff appointments and make recommendations to Full Council

4.6 Identify and propose actions following review of quarterly financial accounts

4.7 Approve expenditure by other Committees, where above their capped levels

4.8 Any other matters referred to Resources Committee by the Town Council which is not within these Terms of Reference

4.9 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Town Development



1. Membership

- 1.1 Eight Members plus the Chairman of the Council and the Leader of the Council ex-officio
- 1.2 The Chairman will be elected at the Annual Full Council meeting
- 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
- 1.4 No business may be transacted at the meeting unless at least 3 members of the committee are present
- 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting
- 1.6 The number of Unitary Councillors shall be restricted to 2
- 1.7 The committee may appoint non-councillor members.

2. Aims

The Town Development committee will undertake the Council's forward planning and strategic development, including built environment, sustainable business development and tourism. The committee will oversee Town Council events.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:-

- 3.1 Developing and maintaining the infrastructure of the town
- 3.2 Proposing and implementing any policy related to Asset Transfer
- 3.3 To liaise with Wiltshire Council on the continuing regeneration and development of Bradford on Avon Town Centre
- 3.4 Digital Infrastructure
- 3.5 Town Council Property (excluding Office Accommodation)
- 3.6 Developing and supporting the local economy, and encouraging sustainable businesses
- 3.7 To consider matters relating to Town events organised either by the Council or other organisations
- 3.8 Formulate and promote the Town Council's Tourism Strategy
- 3.9 Promoting the town local events, facilities, activities and accessibility
- 3.10 Managing and developing the Community Emergency Volunteers (CEV's) and Tourist Information Centre volunteers
- 3.11 Encourage, and assist in the development of independent volunteer groups within the town
- 3.12 To liaise with the private, public and voluntary sectors to seek ways of increasing participation in partnership opportunities, networking, fundraising and joint projects to benefit of the local economy
- 3.13 To oversee town profile exercises to evaluate key performance indicators and plan future projects
- 3.14 Any other matter referred to it by Full Council, which is not within their Terms of Reference

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters:

- 4.1 To consider developments which, in the opinion of the Committees would be a benefit to the Town
- 4.2 To propose after, investigation or review of any matter relating to the purchase, sale or disposal of land or property, or taking forward any other matters concerning land or property as required by the Town Council
- 4.3 To highlight, after investigations or review of any matter relating to the protection and improvement of Bradford on Avon
- 4.4 Any other matters referred to the Town Development Committee by the Town Council which is not within these Terms of Reference
- 4.5 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Charities



1. Background

Bradford on Avon Town Council is the corporate trustee of three charities.

Local authorities are empowered by section 139 of the Local Government Act 1972 to receive and hold gifts on charitable trusts. This may include money or assets left by donors, or charitable trusts created by ancient royal charters or acts of parliament.

Local authorities are well suited to being charity trustees; in particular councils are:

- Rooted in the local community
- Open and transparent in their dealings
- Highly accountable for their actions
- Have high standards of public conduct embedded in the way they work.

2. Charities Details

Colonel William Llewellyn Palmer Educational Charity - No. 1015681
Bearfield Playing Field – No. 305471
Festival Gardens – No. 305472

The Colonel William Llewellyn Palmer Educational Charity (CWLPEC) consists of both funds and assets whilst the Bearfield Playing Field and Festival Gardens are assets with no funding.

3. Meetings

Meeting to be held to report on annual activity and agree a workplan for the following year.

4. Business

- Act in the charity's best interests
- Manage the charity's resources responsibly
- Act with reasonable care and skill
- Agree the budget
- Agree policies to support the charity's aims

5. Delegated business

The following responsibilities have been delegated to Town Council Officers

The active management and administration of the charity's (CWLPEC – will have its own ToR)

1. Membership

- 1.1 All Members of Bradford on Avon Town Council may attend the panel
- 1.2 The two Wiltshire Unitary Councillors for Bradford on Avon may attend the panel – non-voting
- 1.3 The panel will be co-ordinated by the Town Council Staff
- 1.4 No business may be transacted at the meeting unless three Town Councillors are present
- 1.5 The panel will meet at least twice a year.

2. Aims

The Charity is for the benefit of children and young person's up to the age of 25 attending, or who have attended, schools in Bradford on Avon, and for the provision of recreational facilities for the same age group in the town.

3. Business

The panel has delegated authority to deal with the following matters to conclusion

General

- The panel's core role is a focus on strategy, performance and assurance
- The panel takes a collective responsibility for its decisions
- Agrees priorities, processes and a productive culture and has members and staff who are able to govern well and add value to the charity
- The panel shares values, consistent with the charity's purpose, that it wishes to promote and makes sure that these values underpin all its decisions and the charity's activities
- The panel recognises, respects and welcomes diverse, different and, at times, conflicting trustee views
- The panel provides oversight and direction to the charity and support and scrutiny to the organisation
- The panel, through its relationship with the staff, creates the conditions in which the staff are confident and enabled to provide the information, advice and feedback

Specific

- To promote the education of children and young person's attending schools maintained by the LEA and grant-maintained schools in Bradford on Avon.
- To promote the education of children and young persons under the age of 25 who have attended such schools or who are resident in Bradford on Avon and who are in need of financial assistance.
- Towards providing facilities in the interest of social welfare for the recreation and other leisure time occupation of children and young persons under the age of 25 resident in Bradford on Avon with the object of improving their conditions of life.
- Agree policies to support the charity's aims
- Grant making to support the local community, within the terms of the charity's aims
- Agree the budget

The panel will fulfil a number of roles in, to include for due diligence purposes

- Governance
- Risk Management
- Financial Management, with emphasis on the assets held in the form of endowment

- Physical management of the assets comprising the Recreation Ground and Allotments

4. Delegated Business

The following responsibilities have been delegated to Town Council Officers

Registration of the charity

Produce annual report

Produce annual accounts (audited)

Produce and send an annual return (or annual update) and other information to the Commission

Keep separate records and accounts for the charity

Make recommendations to the panel for the awarding of grants in line with the charity's aims

The active management and administration of the charity

Notes/Comments:



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