

GAINSBOROUGH TOWN COUNCIL STRUCTURE AND FUNCTIONS**Index**

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1. Delegation

Town Clerk & RFO

- The Town Clerk / Deputy Clerk and RFO (or authorised assistant) shall be the proper officer for all proper officer functions.
- The Town Clerk / Deputy Clerk and RFO (or authorised assistant) shall make arrangements to pay salaries and wages to all employees of the Council.
- The Town Clerk / Deputy Clerk and RFO (or authorised assistant) shall arrange and call meetings of the Council, its committees and sub-committees in consultation with the relevant chairman.
- The Town Clerk / Deputy Clerk and RFO (or authorised assistant) shall carry out and implement any Council, committee or sub-committee decision.
- The Town Clerk / Deputy Clerk and RFO (or authorised assistant) may give instructions for the carrying out of routine maintenance and repair of the Council's property and land where budget provision has been made for such works.
- The Town Clerk / Deputy Clerk and RFO (or authorised assistant) may respond to consultation documents received by the Council where no member has requested the matter be considered by a committee.
- The Town Clerk / Deputy Clerk and RFO (or authorised assistant) may take urgent decisions on behalf of the Council following consultation with the Mayor and / or Leader. In the case of any financial implication / risk to the Town Council, usually (but not confined to) a health & safety matter, the Clerk must comply with limits as authorised in adopted financial regulations, and report back to the next available meeting of the Council (either full Council or substantive committee).
- To delegate powers to the Town Clerk in respect of line management duties relating to other members of staff.
- To delegate authority to the Town Clerk & RFO to seek HR advice directly from the approved HR Advisors when any matter concerning employment.
- To delegate authority to the Town Clerk in respect of the execution of new employment contracts and any changes to contracts.

Mayor

- To act as the ceremonial representative of the Council and the town
- To chair full Council meetings
- Acting as public spokesman for the Council
- To be an ex-officio member of all Council committees, sub-committees and working groups
- To act as an additional point of contact for employees of the Council
- To delegate to the Leader / Mayor the day to day liaison of the Town Clerk & RFO (Town Clerk's immediate point of contact) and agreement of annual leave and lieu.

Leader

- Working relationships with key partners
- Appraising and evaluating the performance of the Town Clerk, along with the Mayor
- In communicating with the Clerk and Deputy Clerk to speak for the Council in the relevant areas (though not financial contracts)
- To consult with officers between Council/Committee meetings
- To call meetings of committee chairs prior to meetings of the Council
- To be an ex-officio member of all Council committees, sub-committees and working groups
- To act as an additional point of contact for employees of the Council

- To delegate to the Leader / Mayor the day to day liaison of the Town Clerk & RFO (Town Clerk's immediate point of contact) and agreement of annual leave and lieu.

Committee Chairman

- Act as spokespeople for issues within the purview of the Committee (in partnership with the Leader)
- To chair meetings of the Committees
- Act as the point of contact for Officers in the relevant policy areas and to consult with the Town Clerk and / or Deputy Clerk between Council and Committee meetings

Representatives on Outside Bodies

- To represent both GTC's views to the body in question and that body's views to GTC
- Opportunity for feedback to Full Council

2. Full Council

No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than six.

Functions

- To appoint a Clerk to the Council
- To appoint / designate the Responsible Financial Officer
- To elect the Mayor and Deputy Mayor annually
- To elect the Leader (if any) annually
- To agree timetable of committee meetings
- To make appointments to committees and appoint Chairman
- To receive recommendations from committees
- To review and adopt the Council's Standing Orders and agree any subsequent changes
- To review and adopt the Council's Finance Regulations and agree any subsequent changes
- To review and adopt the Council's Structure and Functions and agree any subsequent changes
- To review and adopt the Council's Codes of Conduct and agree any subsequent changes
- To agree the Council's Policy Framework
- To set the Council's initial annual budget and precept level
- To complete Section 1 of the Annual Governance and Accountability Return (Annual Governance Statement) and to approve Section 2 of the Annual Governance and Accountability Return (Accounting Statements)
- To receive and note the results of the annual external audit report
- To make appointments to outside bodies and to receive reports from those members appointed
- To agree and/or amend the terms of reference for committees, deciding on their composition and making appointments to them
- To adopt a member's allowance scheme
- To change the name of the Council
- To make, amend, revoke, re-enact or adopt bylaws and promote or oppose the making of local legislation or personal bills
- All other matters which by law must be reserved to the Council
- To adopt any plans and strategies the Council is required by statute or regulations to approve
- To agree departures including financial, from an approved plan

3. Committees

No Committee however shall have the power to act on behalf of the Town Council on the following matters:

- Levying a precept
- Borrowing money
- Approving estimates, except where allowed by Standing Orders
- Matters reserved to the Council by Standing Orders or Financial Regulations
- Except as otherwise provided in the Standing Orders, making and revising the Standing Orders
- This list is not exhaustive and in any area of doubt Committees shall refer the point to the Council.
- Except when in any particular case there is some law forbidding it when any matter arises or happens within the province of a Committee or Sub-Committee which calls for immediate action, such action may be taken on behalf of the Committee or Sub-Committee by the Town Clerk, or, in their absence, the Deputy Clerk after consultation with the Chairman or Vice-Chairman of the appropriate Committee or Sub-Committee. Such action must, however, be stated at the next meeting of the Committee(s) or Sub-Committee(s) concerned as a matter of report.

4. Management and Finance Committee

The Committee shall consist of no less than 5 Councillors and will not exceed 7.

A meeting will be quorate with a minimum of 3 Councillors present.

To deal with all matters relating to the internal arrangements of the Council including the agreement and final recommendation of the overall budget (for consideration / approval by full Council), office and administration.

“To advise the Council on policy, strategy and the Council’s structure and procedural arrangements”.

Delegated authority to Committee:

- To receive reports on the position of the Council’s accounts at least once per quarter
- To administer on behalf of the Council the committee’s approved annual budget
- To fix fees and charges for services
- To negotiate land transactions on behalf of the Council including the content of leases
- To recommend to the Council changes in the Council’s establishment
- Policy review and adoption not otherwise reserved to Full Council or not otherwise dealt with by Policy Review Working Group in accordance with it’s remit herein.
- To establish and review the staffing levels and management structure
- To receive, note and action all matters arising from Councils internal audit report and review its effectiveness
- To be responsible for council tax recommendations
- To be responsible for grants to the Council from external bodies
- To be responsible for the control of fixed assets
- To be responsible for all of the Council’s insurance matters
- To be responsible for the use of Council land
- To be responsible for purchases not otherwise reserved to other committees
- To be responsible for sales
- To be responsible for future planning
- To be responsible for civil emergency planning
- To receive reports in relation to complaints ~~policy~~ received and consider any complaint not disposed of by direct action by the Clerk.
- To be responsible for consideration of health and safety issues
- To be responsible for the management and maintenance of Richmond House and associated outbuildings
- To consider and review all aspects of the Councils communications including social media, website, and any other form of communication adopted by the Council.

Terms of Reference

- a. To advise the Council as to its financial and economic policies and recommend annual and three-year indicative budgets.
- b. To keep under regular review the policies of the Council, **manpower** and land resources of the Council, and to recommend to the Council with respect to the levying of the annual precept.

- c. To advise the Council independently where a dispute or difference arises between Committees with a statement of the reasons for the dispute or difference, and action proposed to resolve the matter; in cases of urgency the matter may be resolved by the Management and Finance Committee, the action being reported to the Council.
- d. To carry out these duties consistent with the corporate management, manpower and financial policies of the Council.
- e. Consider quarterly reports received from the Strategic Overview Working Group-in respect of the Council's three-year indicative budget.

It shall include the following in its programme of agendas:

- a. April / May - receive end of year income and expenditure in relation to the budget
- b. May - receive year-end accounts prior to external audit
- c. September / October - receive interim report of finances in relation to budget, Committees and cash flow
- d. November / December - prepare outline budget
- e. March / April - monitor investments, receive interim report of finances in relation to budget, Committees and cash flow and to consider the Council's insurance levels.

5. Community Services Committee

The Committee shall consist of no less than 5 Councillors and will not exceed 7.

A meeting will be quorate with a minimum of 3 Councillors present.

To deal with all matters relating to the services provided by the Council.

“To liaise with other statutory bodies on the services provided by those bodies within the Council’s area”.

Delegated authority to Committee:

- To be responsible for the management and maintenance of Play Areas & Skate Parks (*Aisby Walk, Danes Road, Levellings, Mayflower, St Georges, Sandsfield Lane North*)
- To be responsible for the management and maintenance Richmond Park & Aviary
- To be responsible for the management and maintenance of Playing Fields (*Aisby Walk & Levellings*)
- To be responsible for the management and maintenance of Roses and Marshalls Sports Grounds
- Grounds Maintenance (subject to any unbudgeted financial implication being recommended to Management and Finance Committee)
- To be responsible for the provision, management and maintenance of Burial Grounds
- To be responsible for the provision and management of Council’s allotments (*Love Lane, North Warren, Showfields, Spital Hill & Foxby Hill*)
- To be responsible for the Council’s public lighting.
- To be responsible for the maintenance of car parks at Sports Grounds
- To be responsible for the maintenance of footpaths within Council managed property
- Footway Lighting
- To be responsible for the management and maintenance of the Council’s property ~~Street Furniture~~ (Inc: Public seating, bus shelters, litter bins, noticeboards, Millennium Clock and Signage)
- To be responsible for the management and maintenance of the War Memorial
- To be responsible for the provision of Christmas Illuminations
- To consider and determine applications for grant aid, in accordance with Community Grants Policy
- To be responsible for provision and arranging events

Terms of Reference

- a. To advise the Council on and to implement policies on the operation, marketing and promotion of the Committee’s functions and the Council’s properties.
- b. To define the policies, standards of service and budgets for these services and facilities and to review regularly their economy, efficiency and effectiveness.
- c. To carry out these duties consistent with the manpower and financial policies of the Council.

6. Planning and Development Committee

The Committee shall consist of no less than 3 Councillors and will not exceed 6.

A meeting will be quorate with a minimum of 3 Councillors present.

Membership of the Committee will require Members to attend associated training at the earliest opportunity and no later than 3 months from appointment.

It is envisaged that following adoption of the Neighbourhood Plan there may be a future requirement for low level determinations to be made by Town Council at this point further training will be compulsory for Committee Membership.

“To deal with all matters relating to planning applications, street naming, tree preservation orders, ad-hoc licencing applications and matters relating to regulations on the highway”.

Delegated authority to Committee:

- To consider and comment on all planning and allied applications including those related to listed buildings, advertisements and trees relative to Gainsborough submitted by other authorities and to forward observations to the appropriate authorities unless otherwise directed by the Town Council.
- To respond on behalf of the Council to planning appeals.
- To comment on behalf of the Council on highways proposals.
- To administer on behalf of the Council the Committee's approved annual budget.
- To liaise with other agencies on matters concerning highways.
- To consider all other matters analogous to Planning and to bring to the notice of the appropriate authority any apparent breaches of the Planning Regulations and Section 106 Agreements.

7. Personnel Committee

The Committee shall consist of 5 Councillors.

A meeting will be quorate with a minimum of 3 Councillors present.

“To deal with all matters relating to the Human Resources (staffing, volunteers, elected Members conduct) of the Council”.

Delegated authority to Committee:

- To monitor, draft and recommend any changes to staffing policies in conjunction with the Policy Review Working Group.
- To oversee the recruitment and appointment of all staff approve job description person specification, job advert, appoint short listing and interview panel final selection and remuneration level save for the Clerk, and RFO whose appointment shall require a resolution of Full Council.
- To undertake annual staffing reviews (including salary pay scales) for all staff members with any adjustments to be ratified by Management and Finance Committee
- To oversee any process leading to dismissal of staff (including redundancy).
- To consider the effects on staffing during industrial action or a situation that reduces the capacity of the staff and take necessary action as required.
- To establish and review performance management (including annual appraisals, target setting) and consider for approval (or otherwise) staff training programmes
- To monitor and address any repetitive or sustained staff absence
- To keep under review staff working conditions, and health and safety procedures.
- To consider any appeal against a decision in respect of pay.
- To consider grievance or disciplinary matter (and subsequent appeal) in line with the Council's adopted disciplinary / grievance policy.
- To appoint a panel of three councillors (excluding members of the personnel committee) from the Council to hear any such matters and report back to the personnel committee, when need arises.
- To delegate to the Leader and Mayor the day to day liaison of the Town Clerk & RFO (Town Clerk's immediate point of contact) and agreement of annual leave and lieu.
- To delegate powers to the Town Clerk in respect of line management duties relating to other members of staff.
- To delegate authority to the Town Clerk & RFO to seek HR advice directly from the approved HR Advisors when any matter concerning employment.
- To delegate authority to the Town Clerk in respect of the execution of new employment contracts and any changes to contracts.
- To nominate Councillor(s) (of the Personnel Committee) to seek HR advice in conjunction with the Leader directly from the HR advisors when any matter concerns the employment of the Town Clerk & RFO.
- To ensure the Council complies with all legislative requirements relating to the employment of staff.

8. Allotments Sub Committee

The sub-committee shall consist of 9 members made up as follows:

4 Councillors

4 Allotment secretaries (Love Lane, North Warren, Showfields & Spital Hill)

1 Representative of Independently ran allotment site (Foxby Hill)

The chairman and vice-chairman shall be elected from the members at the first meeting of each council year. The role of chair and vice chair of the Allotments Sub Committee maybe held by Allotment secretaries.

Meetings will be quorate with a minimum of 3 members present 1 of which must be a Councillor.

The Sub-Committee will meet quarterly.

Functions

- To receive quarterly reports from allotment secretaries with regards to any management matters arising.
- To report to the Community Services Committee quarterly.
- To annually review and recommend to Management and Finance Committee any rent increases
- To review the Allotment Tenancy Agreement and The Guide to Terms & Conditions used in our Allotment Tenancy Agreement and recommend any changes to Policy Review Working Group.
- To consider all matters relevant to allotments in accordance with The Guide to Terms & Conditions used in our Allotment Tenancy Agreement, but has no power to make decisions or authority to spend money.
- Representatives of independently run allotment sites will not have voting rights on any agenda item.

9. **Armed Forces Day, Remembrance Sunday & War Memorial Working Group**

The working group shall consist of a minimum of 3 Councillors and a maximum of 5 Councillors.

The Group shall have express authority to increase its membership to 7 but the additional members must be third party community members with an interest in the project or able to act as a subject matter expert.

The group shall meet as often as is deemed necessary.

Meetings will be quorate with a minimum of 3 members present, two of which must be a Councillor.

Remit - The group shall be responsible for:

Armed Forces Day:

1. Considering if an Armed Forces Day will be held by the Council, having due regard to financial budgets and constraints, availability of staff resources to organise and deliver the event both on and before the event itself.
2. To prepare a detailed budget proposal for an Armed Forces Day for recommendation to the Community Services committee and Management and Finance committee as necessary.
3. To organise all aspects of delivery of an Armed Forces Day and support delivery of the event on the day.
4. To evaluate the event and consider and suggest improvements as necessary for subsequent years events via a report to the Community Services Committee.

Remembrance Sunday:

1. To oversee the organisation and delivery of the towns annual Remembrance Sunday Act of Remembrance at the War Memorial and any associated reception having regard to budgets available and availability of staff resources to support .
2. To receive regular updates and reports from Officers as necessary to ensure that all due arrangements are in place.
3. To agree annually relevant details of the event as regards persons responsible for delivering key aspects of the Act of Remembrance at the war memorial.
4. To evaluate and suggest improvements as necessary for subsequent years events via a Report to the Community Services Committee.
5. To prepare and monitor annually budgets and expenditure and report or recommend any changes or variations as may be necessary to the Management and Finance Committee.

War Memorial:

1. To co-ordinate the Councils support for the Royal British Legion in their pursuit of developing the War Memorial site in Gainsborough and associated works thereto.
2. The group shall as necessary report or refer appropriate matters to the Council or its Committees.
3. The group shall have no spending powers in relation to the War Memorial save for where funds are externally sourced by way of grants in which case the group shall have power to administer the grant and incur expenditure within the remit of the grant as required.

10. Policy Review Working Group

The working group shall consist of 5 persons made up as follows:

3 Councillors
2 Senior Officers

Meetings will be quorate with a minimum of 3 persons present at least 1 of which must be a councillor.

Remit

The Group shall be responsible for undertaking annual reviews of the Council's policies.

The Group shall have express power to make minor alterations to all of the Council's policies save for that the following policies may only be changed with final approval of Full Council:

Standing Orders
Financial Regulations
Code of Conduct
Structure & Functions

Where necessary the Group will refer any policy changes to appropriate committees where the changes are substantial in nature and have a fundamental impact on the material effect of the policy.

11. Cemetery Working Group

The working group shall consist of 8 members made up as follows:

3 Councillors

Town Clerk

Operations Manager

A representative from Cliff Bradley Funeral Directors

A representative from Lincolnshire Co-Operative Funeral Services

A representative from The Friends of Gainsborough Cemeteries and Chapel

Meetings will be quorate with a minimum of 3 members present, 1 of which must be a Councillor and 1 of which must be an Officer of Gainsborough Town Council.

The working group shall meet a minimum of 3 times per year.

Functions

- To consider all matters concerning the operation and maintenance of the general cemetery, chapel and north warren cemetery
- To annually review and recommend to Management and Finance Committee any fee increases
- To review cemetery procedures, rules and regulations and policy and recommend any changes to Policy Review Working Group
- To consider grounds maintenance
- To consider capital investment

Delegated Authority to Working Group

- To progress the acquisition of additional burial land in particular the vacant field adjoining the existing cemetery extension. The ultimate decision to acquire the land in the name of the Town Council must be made by the Full Council. The working group will provide updates on this item to the Community Services Committee and Management and Finance Committee.
- To incur expenditure up to £500.00 for any item for which a specific Council budget exists. For expenditure over and above £500.00 the working group will make recommendations to Community Services Committee.

12. Levellings (Hickman Bacon Memorial Site) Improvement Working Group

The working group shall consist of 5 members made up as follows:

3 Councillors
2 Council Officers

The group shall have express authority to increase its membership to 7 members but the additional 2 members must be third party community members with an interest in the project or able to act as a subject matter expert.

Meetings shall be quorate with a minimum of 3 members present one of which must be a Councillor.

Functions

- To be responsible for overseeing the development and improvement of the Levellings (Hickman Bacon Memorial Site).
- To have the power to undertake the following tasks:
 - Public consultation
 - Development of designs and ideas for the site
 - Investigation and consideration of grant and other funding opportunities for the development.
 - Organising quotations and tenders as necessary for all works and expenditure relating to the site.
 - Agreeing all expenditure for items and works that are externally funded by grants and other external income.
 - Agreeing all expenditure for items and works that are funded in whole or in part by funds ringfenced by the Council for the project however the group must ensure that the Councils usual 'best value' rules as regards the provision of an appropriate number of quotes for such expenditure are followed. It is recognised that certain items may be part funded by external grants and internal funds in which case 'best value' principles will also apply.
 - Ensuring that works are delivered in accordance with agreed specifications and within agreed budget and contractual terms.
- Provide monthly updates to the councils Community Services Committee and Management and Finance Committees on progress of the project.

13. Wildflower Verges Working Group

The working group shall consist of 5 members made up as follows:

2 Councillors

Town Clerk

Operations Manager

A representative from Gainsborough in Bloom

The Group shall have express authority to increase its membership to 7 but the additional 2 members must be third party community members with an interest in the project or able to act as subject matter expert.

Meetings will be quorate with a minimum of 3 members present 1 of which must be a Councillor.

Functions

- To be responsible for investigating the opportunities for the creation of wild flower verges within Gainsborough and determining:
 - Locations
 - Specification of design
 - Associated costs and funding opportunities
 - Operational impact

The Group will ultimately be tasked with making a recommendation in relation to the creation of wild flower verges, this will need to align to timescales for review of the Parish Council Highway Grass Cutting Agreement beyond the 2019/20 commitment. The recommendation therefore should be submitted to Council no later than its meeting in early November 2019.

The group shall have the power to undertake the following tasks:

- Public consultation
- Specification of site locations and designs
- Investigation and consideration of grant and other funding opportunities

The Group shall have no spending powers.

The Group shall as necessary report or refer appropriate matters to the Council or its Committees.

The Group shall provide monthly updates to the Council's Community Services Committee on the progress of the project.

14. Strategic Overview Working Group

The working group shall consist of a minimum membership of 5 made up as follows:

3 Councillors (at least)

Town Clerk

Responsible Finance Officer (RFO)

Meetings will be quorate with a minimum of 3 present at least 2 of which must be a Councillor.

Meetings shall be as often as it deems necessary to carry out its function but meetings shall as a minimum be held on a quarterly basis.

Functions

- To review and monitor progress against the Councils Town Plan.
- To review and monitor local development and its compliance with the Neighbourhood Plan.
- To keep a watching brief in relation to review of the Neighbourhood Plan and as a result of changes to the Local Plan recommend in relation to a formal requirement to review or update
- To recommend, review and monitor the Councils Parish Infrastructure Improvement Plan in relation to CIL monies.
- To review and monitor the Councils 3 year rolling Project Plan.
- To review and monitor the Councils 3 year budget forecast.
- To review and monitor the Councils Risk Management Strategy.

This working group shall have no formal power to commit the Council to any action, transaction, deed, undertaking, commitment, expenditure or otherwise. The working group shall be sub servient to the Full Council and Substantive Committees and shall as it deems appropriate make recommendations to them as it feels necessary.

15. Neighbourhood Plan - Steering Group

The Group and its Aims

The Steering Group shall consist of an executive committee of individuals who shall be responsible for progressing, developing and delivering the Neighbourhood Plan to completion.

The executive committee shall consist of the following individuals:

1. The Town Clerk.
2. Neighbourhood Plan Officer from West Lindsey District Council.
3. X3 Town Councillors
4. A West Lindsey District Councillor
5. A member of the public (or more than one)

The Group shall have express authority to increase its membership but the additional members must be third party community members with an interest in the project or able to act as subject matter expert.

Chairperson

A chairperson will be appointed by the Steering Group at its first meeting. At subsequent meetings if the Chair is not in attendance an interim chair will be appointed from the executive committee members who are present.

Extra Help

From time to time the executive committee may be assisted by third parties, councillors, officers, members of the public and other individuals who may be invited to a meeting of the Steering Group by one of the executive committee members.

Funding, secured through Government grant monies can also help 'buy-in' technical assistance when appropriate.

Decisions

Decisions of the Steering group shall be by majority vote of those executive committee members present and any third parties who have been formally invited to attend the meeting. Uninvited attendees shall not be entitled to vote. The Chair of the meeting shall have a casting vote.

In terms of deciding the general content of the Neighbourhood Plan, this will largely be based through public consultations, engagement through the process and results of any technical work undertaken.

Quorate Meetings

Meetings of the Steering Group shall be quorate with at least 2 executive committee members present.

Financial Authority and Regulations

The Steering Group and the Town Clerk shall have complete power and authority to incur on behalf of the Council such expenditure as deemed necessary in pursuance of the aims of the Group.

The Councils financial regulations will wherever possible be adhered to however in certain circumstances it is recognised that due to constraints of time, or the process dictates that certain expenditure must be incurred, the need to acquire multiple quotes for certain expenditure will not apply. It shall be at the complete discretion of the Town Clerk to determine the application of financial regulations.