TERMS OF REFERENCE AND DELEGATION OF POWERS TO COMMITTEES, SUB-COMMITTEES AND WORKING GROUPS

Once a committee is established the Membership, Chairmen and Vice-Chairmen are appointed each year at the Annual Meeting of the Town Council held in May and the Terms of Reference are reviewed.

These Terms of Reference were last reviewed by Finance & Policy Committee for approval and adoption by Keynsham Town Council on 5th May 2021.

Contents

Important Information	Page 2 &
Events, Arts Tourism & Heritage	Page 4
Environment and Sustainability	Page 7
Finance & Policy	Page 9
Grants	Page 11
Personnel	Page 12
Planning & Development	Page 14
NDP Steering Group	Page 15
GDPR Sub-Committee of Finance & Policy	Page 16
Environment & Sustainability Sub-Committee	Page 17
Allotments Strategy Working Group	Page 18
Youth Strategic Working Group	Page 19
Consultation Response Group	Page 20

IMPORTANT INFORMATION

Key Points about Committees:

- The specific responsibilities of a Committee are confirmed by its Terms of Reference.
- Non-Councillors may be appointed to Committees the voting rights of non-Councillor members is limited (see below).
- A non-Councillor with voting rights is subject to the Council's code of conduct with a statutory obligation in respect of the registration and disclosure of disclosable pecuniary interests.
- A Committee either has functions of the Council that have been formally delegated to it, or it simply advises the Council on matters which relate to the performance of its statutory powers and functions.
- The full Council is responsible for the appointment and the dissolution of a Committee.
- The Chairman can be elected by the full Council or by the Committee members when they first meet.

What do Committees do?

If a Council delegates the performance of certain statutory functions, powers and responsibilities to a Committee, in doing so the Council is subject to decisions made by the Committee.

The following cannot be delegated to a Committee:

- Levying or issuing a precept
- Borrowing money
- Approving the councils accounts
- Considering an auditor's report
- Confirming that it has satisfied the criteria to exercise the Power of General Competence
- Adopting or revising the Councils code of conduct

When can the Town Council appoint a Committee?

This can be done at any time; however normally this is done at the Annual Meeting of the Council in May. It is a good opportunity to review existing Committees and the need for new Committees.

Appointing a Committee

Once it has been decided that there needs to be a committee then several decisions become necessary. The most important decision is what the committee is actually there to do. Will it be a committee with any powers delegated to it or will it be an advisory committee that must report back to the council. All these items need to be set out in the terms of reference of the committee which must be approved by the Council and should be recorded clearly in the council minutes.

- The terms of reference of a committee would normally set out how many members it shall have.
- They should state whether the committee has a delegated power to act or is merely advisory and only able to make recommendations to the council.
- Under no circumstances should a committee be allowed to make or change its terms of reference, this is done by the full Town Council.
- There is no requirement for political proportionality on committees unless the Council decides otherwise.
- Once a committee is established the membership is appointed each year at the Annual meeting of the Council held in May.

Delegation of Powers/Advisory Committees

A Council can delegate almost all of its powers to a properly constituted Committee. When establishing a Committee its Terms of Reference should specify whether the Committee has delegated powers to act directly, or whether any, or all, of its decisions must be referred back to the full Council as recommendations for approval or (in the case of Grants) a decision for formal ratification. Where a Committee has a delegated power and specified financial resources allocated to it, then it has been empowered to act directly without reference back to the Council.

In effect, the Committee is acting as if it was the Council. In that situation the Council would merely receive the minutes of that Committee meeting at the next Council meeting and accept the decision as its own. Where the Committee only has an advisory role then its minutes will effectively form recommendations for action to the full Council and will need to be specified appropriately on the agenda and the Council's decisions recorded in its minutes.

The Council will always have the ultimate authority, and may at any time step in and exercise the functions which it has delegated to a Committee, or indeed disband the Committee. It could not override the decisions already made without technically rescinding its own decisions.

Non-Councillor Members Of Committees

Non-Councillors may be invited to sit on the two types of Committee - Committees set up to discharge functions of a Council and advisory Committees. They will have agendas with background papers, minutes and can speak at the meeting whether or not they can vote.

Non-Councillors are unable to sit on Committees if he/she would be disqualified from being elected or being a Councillor, if a non-Councillor does have a voting right then they are also subject to Keynsham Town Council's Code of Conduct.

It is important for a Council to explain the limited statutory rights that non-Councillors have and also their statutory obligation in relation to registration, disclosure of interests and the Code of Conduct.

NB It is unlawful for non-Councillors to vote on matters where the Committee has a delegated power which involves financial expenditure of the Council. They are not elected through the ballot box and therefore Non-Councillor members of Committees do not have voting rights except in respect of 4 Council functions permitted in law:

- (i) management of land owned or occupied by the Council.
- (ii) functions of the Council as a harbour authority.
- (iii) any functions relating to the promotion of tourism and
- (iv) any function relating to the management of a festival.

The term 'management' does not include making decisions about the total amount of money which may be spent by the Council in a financial year in respect of land or a festival.

Non-Councillors may be appointed because they represent a particular section of the community e.g., business, voluntary organisation or because they have expertise for the work of the Committee. For example, an event/festival Committee may involve representatives from local businesses because they are better placed to encourage sponsorship by other businesses and may contribute commercial ideas.

NAME OF COMMITTEE	EVENTS, ARTS, TOURISM & HERITAGE (EATH) Committee
MEMBERSHIP WITH VOTING RIGHTS	7 Keynsham Town Councillors
NON-COUNCILLOR MEMBERSHIP WITH VOTING RIGHTS	Maximum of 7 to include representatives from Business, Arts, Churches Together, Community organisations and NDP Heritage and Tourism topic group.
N.B. Must adhere to Code of Conduct	n.b. Non-Councillors cannot vote on any financial matters unless they pertain to tourism promotion and/or management of a festival
MEMBERSHIP WITHOUT VOTING RIGHTS	The Committee may co-opt additional non-voting members
FUNCTIONS	 Winter Festival To produce a community winter event within budget which incorporates the switching on of the Keynsham Christmas lights. To promote community involvement in the event. To promote sponsorship of the event. To encourage participation by retailers, businesses, church groups, school groups and other local charity/community groups in Keynsham. To include activities, interests and performances suitable for all ages and abilities. To provide a Christmas tree in the grounds of St. John's Church (to be agreed at the Town Council meeting in July). Events generally To co-ordinate and deliver Town Council events (including Civic events and markets) within appropriate budgets. To promote community involvement in Town Council events. To encourage participation by retailers, businesses, church groups, school groups and other local charity/community groups in Keynsham. To include activities, interests and performances suitable for all ages and abilities Arts Development Activities
	To monitor and deliver the budget(s) for the

- Keynsham Arts Development Activities
- To produce an Arts Plan for adoption by Keynsham Town Council to be reviewed annually.
- To provide guidance and support to relevant organisations and Keynsham Town Council for the continued development and implementation of the Keynsham Arts Plan.
- To advise the Council on support for other activities in Keynsham including arts, cultural and heritage events, local art groups and media organisations, performance spaces for theatre, music and other community activity and public art installations.
- To liaise with B&NES, KMFA Ltd and other local bodies established for the promotion and/or management of arts and heritage facilities, events and activities.
- To monitor the progress of the Keynsham Town Council Arts Plan and Timeline.
- To oversee the production of the quarterly Keynsham Arts newsletter and produce suitable content for the quarterly Keynsham News.
- To determine themes and deliver the poster displays at Keynsham Railway Station.
- To promote open access to the Town, the arts and events.

Marketing and Tourism

- To develop a comprehensive long-term Tourism and Marketing strategy for Keynsham for approval by Town Council.
- To make recommendations to the Town Council on how to develop Keynsham into a "Destination Brand".
- To make recommendations to the Town Council concerning the re-branding of Keynsham Town Council including armorial bearings, etc.
- To make recommendations on an appropriate new website design for the Town Council.
- To make recommendations to Town Council

	on improvements and promotion of the town centre and other areas of Keynsham to aid tourism and economic development.
	Heritage
	To keep under review the historical facilities of the town and the need for further development of such activities.
	To monitor and report back to Council on project progress with B&NES in respect of the public realm developments in Keynsham town centre and its recent classification as a Heritage Zone.
	To consider heritage issues, matters relating to conservation areas and the listing of buildings (except so far as such matters fall under the remit of the Planning & Development Committee) and to make proposals as appropriate.
	To consider methods to promote Keynsham's Heritage.
	Generally - To ensure all decisions are in accordance with Keynsham Town Council's adopted Policies and Financial Regulations.
DELEGATED POWERS	To make decisions on behalf of Keynsham Town Council with regard to all budgets associated with Arts, Events and Tourism Activities (e.g., Bandstand, General Arts Activities, Winter Festival).
REFERRED BUSINESS	Any proposals involving either unbudgeted expenditure or use of earmarked reserves for Arts, Events or Tourism purposes.
QUORUM	3 Town Councillors.
FREQUENCY OF MEETINGS	Monthly from June to December and thence quarterly.

NAME OF COMMITTEE	ENVIRONMENT & SUSTAINABILITY Committee

MEMBERSHIP	7 Members of the Town Council
	 5 (Lead) Community Representatives Keynsham Plastics Reaction Keynsham Wombles Transition Keynsham Keynsham In Bloom Churches Together
	2 Business Representatives – one large employer, one High Street independent trader
	1 B&NES Ward Councillor
	B&NES Cabinet member for Climate Emergency and Neighbourhoods
OFFICERS	 Nominated B&NES Officer Town Clerk or Deputy Town Clerk of Town Council
TERMS OF REFERENCE	(i) To make recommendations to the Town Council on an Action Plan to implement its Single Use Plastic Policy and monitor progress towards implementation and delivery of the 12 commitments.
	(ii) To formulate a climate change and ecological emergency policy and action plan for adoption by Town Council, to include a proposed date for reaching net zero, and monitor progress towards implementation and delivery.
	(iii) To consider how the Town Council can best achieve its corporate objectives, priorities and actions so as to minimise or eliminate carbon emissions, single use plastics and the adverse impacts of climate change.
	(iv) To champion positive and constructive actions to support the climate change and single use plastics agendas across the Town Council's operations, actions and broader sphere of influence.

	 (v) To act as the Council's principal point of reference, deliberation and advice for matters specifically relating to the reduction of single use plastics, carbon emissions, and adaptation to the effects of climate change including preserving and improving biodiversity. Such matters would incorporate: the internal operations of the Council in support of the services it delivers and as an exemplar to external organisations; the services that the Council provides to the residents of Keynsham. community leadership in facilitating and enabling actions across the town: including bringing together and working with key strategic partners and expert voices. (especially via formal strategic partnership arrangements). influencing and interpreting county, regional and national policy for the benefit of Keynsham and B&NES.
	(vi) To make recommendations to Town Council on a sustainable procurement policy to address the climate change and single use plastics agendas.
	(vii) To produce a list of preferred suppliers/products and a timescale for the Town Council to eliminate use of single use plastics from its operations.
	(viii) To make recommendations to the Town Council concerning the establishment and activities of a wider Community Forum and/or other methods for partnership working to facilitate and encourage implementation of the Single Use Plastics Policy and emerging Climate Emergency Policy across Keynsham.
DELEGATED POWERS	None – advisory only
QUORUM	3 Town Councillors.
FREQUENCY OF MEETINGS	As required

NAME OF COMMITTEE	FINANCE AND POLICY Committee
MEMBERSHIP WITH VOTING	7 Members of Town Council
RIGHTS	
RIGHTS FUNCTIONS	 i) To prepare a DRAFT budget for the forthcoming financial year for submission to Town Council no later than the December meeting. ii) To propose options to Town Council on the level of the precept. iii) To receive recommendations from Personnel, and other standing Committees on proposed budgetary requirements for the forthcoming financial year. iv) To conduct a mid-year review of income and expenditure. v) To consider proposals and make recommendations to Town Council at its September meeting on activities and services and levels of income and expenditurefor the following financial year. vi) To ensure that all financial requirements and reserves are managed in line with the Council's Financial Regulations. vii) To make recommendations to Council on borrowing policy, investment & treasury management. viii) To regularly monitor the performance of all funds invested. ix) To make an annual recommendation to Town Council on the level of general reserves according to the Financial Risks and Reserves Policy. x) To conduct an annual review of the effectiveness of the Town Council's system of internal control. xi) To recommend to Town Council that it publishes a statement on internal control (statement of assurance) each year with the Council's financial statements. xii) To assess the scope of the Internal Audit, its independence, its competence, audit planning and reporting to review the Internal Audit reports and make recommendations to Council. xiii) To verify bank reconciliations quarterly and report to full Council.

	 xiii) To authorise expenditure, setting up of direct debits and any other duties as described and delegated to the Cttee or the Chair of the Cttee in the Town Council's Financial Regulations. xiv) To review the Annual Return prior to approval by full Council at the Annual Meeting (scheduling/timelines permitting). xv) To review Standing Orders, Financial Regulations and all other policies and protocols on an annual basis and also when requested by Council. xvi) To review annually all risk policy statements and risk management arrangements in respect of all activities of the Town Council. xvii) To make recommendations to Council on matters relating to governance, policies and procedures. xviii) To make recommendations to Council on managing the exposure to perceived and potential risks. xix) To oversee the procurement process including requests for quotation and invitations to tender and make recommendations on contracts awarded. xx) To ensure all decisions are in accordance with Keynsham Town Council's adopted Policies and Financial Regulations.
DELEGATED POWERS	Power to spend up to £5,000 on items that are not part of any other Committee's budgetary responsibilities.
QUORUM	3 members of the Committee
FREQUENCY OF MEETINGS	Monthly according to the approved Corporate Governance review timetable

NAME OF COMMITTEE	GRANTS Committee
MEMBERSHIP WITH VOTING	7 members of the Town Council
RIGHTS	
FUNCTIONS	 (i) To formulate a criteria for determining the eligibility for grant applications. (ii) To determine the format of the applications forms and associated information necessary. (iii) To consider and determine every grant application within the agreed criteria and budget. (iv) Ensure publicity is undertakeninvolving all aspects of the grant process. (v) To monitor and manage the approved budget allocated to grants. (vi) To arrange and hold a grants presentation evening where successful applicants will be expected to attend to give a brief presentation on their group or organisation. (vii) To receive a report from each applicant to back up their expenditure.
DELEGATED POWERS	Authorised to exercise the functions of the Council in considering and assessing applications for financial grant aid and allocating awards as is deemed appropriate within the total predetermined budget for that purpose.
REFERRED BUSINESS	Any changes requested by the grant applicant to the grant awarded. Requests to claim the grant in a different financial year to that already agreed.
QUORUM	3 members of the Grants Committee
FREQUENCY OF MEETINGS	Twice a year

NAME OF COMMITTEE	PERSONNEL Committee
MEMBERSHIP WITH VOTING	7 members of the Town Council
FUNCTIONS	(i) To give consideration to all matters relating to: (a) Terms of employment of staff (b) Conditions of service of staff (c) Welfare of staff (d) Training of staff (e) Recruitment of staff (f) Employment Handbook(s) and policies therein
	(ii) To keep under review employees' contracts of employment and examine the Council's responsibilities under the Health and Safety at Work etc. Act 1974;
	(iii) in conjunction with The Town Council's HR advisers; To review (and where necessary, implement) disciplinary and grievance procedures relating to staff, in accordance with the Employment Protection Acts, the provisions of the National Conditions of Service for Local Government Officers, Joint Negotiating Committee for Youth & Community Workers, ACAS, agreements made between the National Association of Local Councils and the Society of Local Council Clerks and in accordance with other relevant legislation.
	(iv)To discuss and resolve issues relating to staffing levels and re-grading, pay levels and staffing structures.
	(v) To formulate and review procedures for the selection and recruitment of staff and, unless delegated to the Town Clerk, make the necessary arrangements for the interview and appointment of staff as required.
	(vi) To undertake an Annual salary review in November for incorporation in the draft budget presented to Town Council in December.
	(vii) To deal with any staff matters referred by The Clerk.(viii) To consider any other matters delegated to the Committee by the full Town Council.

DELEGATED POWERS	The Personnel Committee is authorised to make decisions on behalf of Keynsham Town Council in relation to staffing matters and have financial responsibility for the Annual Salary Budget and Annual Salary Review. The overall purpose of this Committee is to effectively and efficiently discharge the Council's duties as an Employer.
REFERRED BUSINESS	Any matters relating to appeals where the Town Council is required to constitute an Appeals panel.
QUORUM	3 members of the Committee
FREQUENCY OF MEETINGS	November for Annual review of salary budget and thereafter on an ad hoc basis.

NAME OF COMMITTEE	PLANNING & DEVELOPMENT Committee
MEMBERSHIP WITH VOTING RIGHTS	7 members of the Town Council
FUNCTIONS	(i) Receive planning applications and related matters; consider comments and forward decisions, observations and comments to Bath & N.E. Somerset Council and/or any other appropriate authority.
	(ii) To make observations/comments on planning policies and detailed local plans appropriate to the Town and make recommendations to the full Town Council.
	(iii) To make observations/comments on tree preservation orders and listed building consents.
	(iv) To deal with all matters relating to the creation, diversion and closure of public rights of way and open green spaces.
	(v) To comment on Traffic Orders to B&NES Council on Traffic Management matters.
	(vi) Comment on license applications.
	(vii) Nominate speaker(s) to represent the Town Council at B&NES Council planning meetings/committees.
DELEGATED POWERS	The Planning Committee are authorised to make decisions on behalf of Keynsham. Town Council with regard to all functions.
REFERRED BUSINESS	To consider and make recommendations to the Town Council on the following matters - • To make observations/comments on the Core Strategy, planning policies and detailed local plans appropriate to the Town.
QUORUM	3 members of the Planning Committee
FREQUENCY OF MEETINGS	Every 3 weeks

NAME OF STEERING GROUP	NDP
	Steering Group
MEMBERSHIP WITH VOTING RIGHTS	3 Members of the Council one of whom shall be Chair and one of whom shall be Vice Chair.
	Chair and Vice Chair of each of the following NDP Topic Groups who are Members of the Public. • Heritage, Culture, Tourism, Marketing and Development of the Built Environment. • Recreation, Leisure, Sport, Health & Community Education • Roads, Transport, Parking and Infrastructure • Sustainability, Environmental and Ecological • Business and Economic Growth
FUNCTIONS	 The purpose of the SG is to support the Town Council (TC) to co-ordinate the Keynsham Neighbourhood Development Plan (NDP) by undertaking the following tasks: Identifying key themes and issues for policies in the NDP. Discuss with people who live, work and do business in the town on their needs, concerns and ideas about the key themes and issues. Use the results of community questionnaire(s) in relation to the key themes and issues. Drafting the policy(ies) as appropriate to address themes and issues. Assist with preparation of NDP. Assist with coordinating the community consultation. Present the final draft NDP. Publicise the referendum. Implement and monitor the NDP. Report progress to the Town Council, as requested
DELEGATED POWERS	The Steering Group can make decisions on all aspects of the preparation of the Neighbourhood Development Plan with the exception of financial matters/ expenditure.
REFERRED BUSINESS	Any matters relating to expenditure requires approval by Town Council
QUORUM	3 members of the Steering Group
FREQUENCY OF MEETINGS	Ad hoc basis

NAME OF SUB-COMMITTEE	GDPR Sub-Committee of Finance & Policy
MEMBERSHIP WITH VOTING RIGHTS	4 Members of the Finance & Policy Committee
MEMBERSHIP WITHOUT VOTING RIGHTS	Marketing and Communications staff member when available
FUNCTIONS	 (i) To monitor the initial implementation of practices that are compliant with the General Data Protection Regulation 2018. (ii) To recommend policies and guidelines consistent with best practice compliance regarding all data protection principles, for consideration by Finance Committee and approval by Town Council. (iii) To recommend a process for complying with data access requests. (iv) To recommend suitable GDPR training for Staff and Councillors. (v) To conduct an Annual Review of the Town Council's data management processes, procedures and policies and make recommendations to Finance & Policy Committee. (vi) To perform any other activities consistent with these Terms of Reference that are deemed appropriate by the Finance & Policy Committee. (vii) The Sub-Committee may invite to its meetings any person, (including staff and volunteers), who may be of assistance to the Sub-Committee in the exercise of its responsibilities.
DELEGATED POWERS	None – advisory only to Finance & Policy Committee, which in turn is advisory only to the Town Council.
QUORUM	3 Town Councillors.
FREQUENCY OF MEETINGS	As required

NAME OF SUB-COMMITTEE	E & S SUB-COMMITTEE
MEMBERSHIP WITH VOTING RIGHTS	5 Member of the Environment & Sustainability Committee
MEMBERSHIP WITHOUT VOTING RIGHTS	TC staff members, if requested to attend meetings.
FUNCTIONS	 (i) To Plan and draw out 3 – 4 projects from the master project plan. (ii) To create some work packages. (iii) To recommend these projects to the full E & S Committee. (iv) To seek ratification to undertake any chosen projects from full Council. (v) The Sub-Committee may invite to its meetings any person, (including staff and volunteers), who may be of assistance to the Sub-Committee in the exercise of its responsibilities.
DELEGATED POWERS	None – advisory only to E & S Committee, which in turn is advisory only to the Town Council.
QUORUM	3 Town Councillors.
FREQUENCY OF MEETINGS	As required

NAME OF WORKING GROUP	ALLOTMENTS STRATEGY WORKING GROUP
MEMBERSHIP WITH VOTING RIGHTS	5 members of the Town Council
MEMBERSHIP WITHOUT VOTING RIGHTS	2 members from the Park Road Allotments Association 1 B&NES Ward Councillor n.b. Non-Councillor members only have voting rights in respect of the management of land owned or occupied by the Town
	Council i.e., Park Road allotment site.
FUNCTIONS	 (i) To undertake the necessary research and consultation to develop an overall strategy for the future provision of allotments in Keynsham, in line with forecast demand for consideration by Town Council. (ii) To identify existing and future sites for allotments including those provided by private owners or via new or proposed developments. (iii) To make recommendations to the Council on whether the Council should be looking to provide further allotments and how these should be acquired/managed. (iv) To review the Town Council lease agreement with the landowner and Terms of Agreement entered into between the Council and the Association and make any recommendations to Council on any amendments in respect of responsibilities, boundaries and management of the allotments. (v) To make recommendations to Town Council on the use of existing and future s106 or CIL monies in respect of allotment provision.
DELEGATED POWERS	None – advisory only
QUORUM	3 Town Councillors.
FREQUENCY OF MEETINGS	As necessary – task and finish group

NAME OF WORKING GROUP	YOUTH STRATEGY WORKING GROUP
MEMBERSHIP WITH VOTING RIGHTS	5 Members of the Town Council
MEMBERSHIP WITHOUT VOTING RIGHTS	One representative from each of the following: KTC Youth service KeynshamNow Keynsham Secondary Schools Keynsham Primary Schools Youth Connect South West
FUNCTIONS	 (i) To develop a comprehensive long-term Youth provision strategy for Keynsham. (ii) To consult with the young people of Keynsham on what type of provision they would like. (iii) To propose a programme of activities for consultation with young people. (iv) To make recommendations to the Town Council on how to develop the current Youth Service. (v) To make recommendations on suitable facilities to provide a programme of Youth Services. (vi) To work in collaboration with other Youth Service providers including other Town and Parish Councils in the region. (vii) To work in collaboration with the NDP to develop a survey suitable for young people to provide their views in the future of Keynsham
DELEGATED POWERS	None – advisory only
QUORUM	3 Town Councillors.
FREQUENCY OF MEETINGS	As required

NAME OF WORKING	Consultation Response Group
GROUP?	
MEMBERSHIP	5 Members of Town Council including 3 from
	Planning & Development Committee
FUNCTIONS	 (i) To formulate responses to consultations for consideration by either Planning & Development Committee or full Town Council as appropriate. (ii) The Group may invite to its meetings any person, (including staff and volunteers), who may be of assistance to the Group in the exercise of its responsibilities.
DELEGATED POWERS QUORUM	To formulate and submit responses on behalf of the Town Council if there is insufficient time for a response to be considered by either the Planning & Development Committee or Full Town Council as appropriate. 3 Town Councillors.
EDECLIENCY OF MEETINGS	As required
FREQUENCY OF MEETINGS	As required