

Great Dunmow Town Council

Structure and Definitions

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Body Corporate

The Council

- 3.0 Great Dunmow Town Council is a body corporate of perpetual succession constituted and underpinned by the Local Government Act 1972.
- 3.1 The Council's membership consists of eighteen members and may be changed via Community Governance Review conducted by the electoral authority.
- 3.2 The Council may delegate decision making to any relevant committee, sub-committee or officer of the authority.
- 3.2 The Council cannot delegate a decision /or decisions to any individual Member.

Reserved Matters

- 3.3 The following are reserved matters for the Council to decide, notwithstanding that the appropriate committee(s) may make recommendations thereon for the Council's consideration:
- Setting the Precept.
 - Borrowing money.
 - Approval of the Council's Annual Accounts and the Annual Governance & Accountability Return.
 - Making, amending, or revoking Standing Orders, Financial Regulations, Code of Conduct, or Terms of Reference.
 - Making, amending, or revoking by-laws.
 - Making of orders under any statutory powers.
 - Approving and adopting the Council's Corporate Strategy.
 - Discharge of completed corporate strategy items upon notification by the relevant committee.
 - The appointment of the Town Clerk considering the advice of the Personnel Committee.
 - Matters of principle or policy.
 - All matters of capital expenditure in respect of items subject to any project management process of the Council.
 - Receipt of committee reports from committee chairman in attendance.
 - Approval of application and renewal for the Local Council Award Scheme.
 - Nomination and appointment of representatives of the Council to any other authority, organisation, or body.

- Responses to legislative and other allied consultations excluding those dealt with by the Planning Committee.
- Prosecution or defence in a Court of Law other than an Employment Tribunal.
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.
- Decisions to adopt the General Power of Competence.

Body Corporate

Charitable Trusts

- 3.4 Great Dunmow Town Council acts as sole trustee charitable trusts under Section 139 of the Local Government Act 1972.
- 3.5 All actions, decisions and expenditure taken in relation to any function, service or asset provided by the trusts will be taken at a duly convened meeting of the trust(s).
- 3.6 Actions, decisions and expenditure relating to trusts managed by the Council shall not be debated at Council meetings, save for where reports and motions arise from the business of the charitable trusts having been referred to committee or Council for debate.
- 3.7 Management of charitable trust affairs shall be kept separate from Council business.
- 3.8 All finances, assets, income and expenditure of charitable trusts shall be kept recorded separately from Great Dunmow Town Council's accounts and be subject to independent audit.

Foakes for Recreation Charity Trust

- 3.9 Great Dunmow Town Council is sole trustee of the 'Foakes for Recreation Charity Trust' – No. 301313.
- 3.10 The stated aims of the Charity are to manage the Recreation Ground and Dourdan Pavilion for the purpose of the provision of recreational facilities, upkeep and conservation of open spaces for the benefit of the local community. The Recreation Ground, including the Dourdan Pavilion are well used by the local community for a variety of activities and community events.
- 3.11 All Town Council Members are trustees.

Edward Thomas Foakes Memorial Hall Trust

- 3.12 Great Dunmow Town Council is sole trustee of the 'Edward Thomas Foakes Memorial Hall Charity' – No. 301312.
- 3.13 The stated aims are to manage the Foakes Hall for the purposes of entertainments, recreations, meetings, lectures, concerts, and other charitable purposes connected with the town of Great Dunmow.
- 3.14 All Town Council Members are trustees.

Officers and Members

The Proper Officer

- 4.0 The Proper Officer is the Town Clerk and is responsible for ensuring that the Council's records, assets, and processes are kept in good order, regularly reviewed, and reported to Council. Specifically, duties of the Proper Office include:
- Receiving declarations of acceptance of office.
 - Receiving and recording notices disclosing interests.
 - Receiving and retaining plans and documents.
 - Sign notices and documents on behalf of the Council.
 - Receive copies of by-laws made by a principal local authority.
 - Certify copies of by-laws made by the Council.
 - Draft and publish agenda papers in consultation with the relevant chairperson.
 - Sign summons to attend ordinary meetings of the Council.
 - Retain custody of the Council's seal for use by resolution.

Responsible Financial Officer

- 4.1 The Responsible Financial Officer (RFO) is a statutory appointment under S151 of the Local Government Act 1972 and is the Town Clerk. The RFO is accountable to the Council and holds responsibility for determining the Council's form of accounts, ensuring that accounts are maintained in accordance with the Accounts & Audit Regulations in force at any given time. In addition, duties of the RFO include:
- Accountability for the management of budgetary information, reporting and management of reserves.
 - Accountability for the timely and proper report of all cashbooks and reconciliation to the Council.
 - Ensuring investments are carried out in accordance with the Council's Treasury & Investment Policy.
 - Maintaining a sound system of internal control and convening the Financial Scrutiny Panel, including implementing the recommendations of the panel.
 - Discharging all responsibilities in relation to the Local Government Pension Scheme.

Town Clerk

- 4.2 The Role of the Town Clerk is that of 'chief executive' or 'head of paid service' and holds responsibility for presiding over administrative and operational matters, but not matters of policy approval which is reserved for the Council. The Town Clerk is responsible for issuing directions and orders to staff as the principal line manager and is accountable to the Council as a body corporate. The Town Clerk holds delegated authority to undertake the following matters on behalf of the Council:
- Day to day administration of services, together with routine inspection and controls.
 - Providing directions and issuing instructions to all employees of Great Dunmow Town Council
 - Day to day supervision and control of all staff employed by the Council
 - Personnel matters including capability and disciplinary procedures as set out in the Staff Handbook.
 - Deployment of Council resources to discharge the statutory duties of the Council and agreed committee business plans.
 - Providing comments to local press and media on behalf of the Council in conjunction with all relevant Members to the subject matter.
 - Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees
 - Authorisation of routine recurring expenditure within the agreed budget lines.
 - Authorisation of expenditure on any general works within the agreed budget lines.
 - Authorisation of emergency expenditure outside of an agreed budget in accordance with Financial Regulations, with any such emergency expenditure to be reported to the Council at the earliest opportunity.
 - Proposition of new policies and initiatives for consideration by the Council.
- 4.3 Delegated actions of the Clerk to the Council shall be in accordance with Standing Orders, Financial Regulations, and Terms of Reference and in line with directions given by the Council from time to time. Actions and general business being handled by the Clerk and staff should be regularly reported via the 'clerks report' items on each committee agenda.

Officers and Members

The Town Mayor

- 4.2 The Town Mayor is the “First Citizen” of Great Dunmow, and amongst the Council, is considered the “First Amongst Equals”.
- 4.3 The Town Mayor presides at each meeting of the Full Council and serves as the civic head of the Town Council for the duration of their term.
- 4.4 Appointment of the Town Mayor must be conducted in accordance with the Council's adopted “*Mayoral Procedure (Including Election Years)*” Policy.
- 4.5 The Office of Mayor is additionally required to adhere to the Council's adopted “*Guidelines for the Mayor & Deputy Mayor*” Policy.
- 4.6 The Town Mayor is entitled to attend a weekly briefing with the Town Clerk, if desired.
- 4.7 The Town Mayor serves as an *ex-officio* member of all Standing Committees.

Deputy Town Mayor

- 4.8 In absence of the Town Mayor, The Deputy Town Mayor presides at meetings of the Full Council.
- 4.9 Appointment of the Deputy Town Mayor must be conducted in accordance with the Council's adopted “*Mayoral Procedure (Including Election Years)*” Policy.
- 4.10 The Deputy Mayor is additionally required to adhere to the Council's adopted “*Guidelines for the Mayor & Deputy Mayor*” Policy.
- 4.11 The Deputy Town Mayor serves as an *ex-officio* member of all Standing Committees.

Officers and Members

Committee Chairman and Vice-Chairman

- 4.12 Committee chairs are responsible for the direction and success of their committee's business. In addition to presiding over meetings and keeping order, committee chairs drive forwards business plans and help their fellow Members form a consensus on items of debate.
- 4.13 Committee chairs are empowered as the principal stakeholder of their committee and corporate strategy plans to undertake all necessary enquiries with officers on any matter relating to committee business but cannot issue directions to officers. All officer communications relevant to committees should be considered in the first instance by its respective chair.
- 4.14 Committee chairs are entitled to a private meeting with the committee clerk or Town Clerk to discuss and agree upcoming agenda papers for each committee meeting and may give direction as to the order of business and acceptance of written motions in accordance with standing orders but may not exclude an item of business from a committee agenda that otherwise satisfies policy and has been moved in accordance with Standing Orders.
- 4.14 Committee chairs and vice chairs are entitled to attend any meetings relevant to the annual budget and business planning process to table early items of business for exploration ahead of committee adoption. Committee chairs and vice chairs are not obliged to partake in the business planning process.

Standing Committees

Planning and Transport Committee

- 5.1 To ensure decisions on planning and other matters referred to the committee balance the wishes of the applicants with those of other interested parties, and take account of the character and amenities of the town and the preservation of the Conservation Areas.

Halls Committee

- 5.2 The Town Council is the sole trustee of the Edward Thomas Foakes Memorial Hall Trust and its car park, and Foakes House and its yard. The Town Councillors are the Managing Trustees of the registered charity (No. 301312). The terms of the bequest state that the Hall is to be used in perpetuity for the purpose of entertainments, recreation, meetings, lectures, concerts & other charitable purposes connected with the town of Gt Dunmow.

Downs and Commons Committee

- 5.3 To ensure that the Downs, Commons, Recreation Grounds, Recreation Ground Public Toilets, Cemetery, Jubilee Allotments, Talberds Ley Tennis Courts, Play Areas, Skate Park, the David Cock bequest land, and Open Spaces under the Council's control are managed effectively to provide a pleasant and safe environment for residents and visitors to the town. To ensure that all facilities comply with existing and new legislation.

Finance and Policy Committee

- 5.4 To supervise the operational and financial planning activities of the Council as a whole. To ensure that actions taken by the Council do not contravene statute or any other financial regulations. To provide and maintain Standing Orders, Financial Regulations, and Terms of Reference within which Committees should operate. These objectives should be achieved within the constraints of an annual budget.

Personnel Committee

- 5.5 To ensure staffing levels are satisfactory to run an efficient Town Council Office. To receive a report on the annual staff appraisals from the Clerk, and in the autumn to annually appraise the Clerk, in order to maintain a stable and motivated workforce. To handle staff grievances and disciplinary action in line with the Council's policies.

Sub-Committees

- 6.0 Sub-Committees must be constituted under a parent Standing Committee.
- 6.1 Sub-Committee meetings are open to the public and convened via summons.

Open Spaces Management Sub-Committee

- 6.2 The Open Spaces Management Sub-Committee is responsible for the production, implementation, oversight, and revenue of Open Space Management Plans for all sites managed by Great Dunmow Town Council.

May Dunmow Prosper Sub-Committee

- 6.4 The Sub-Committee exists to liaise, collaborate and support community groups /organisations, residents and businesses to promote Dunmow as a great place to live, work, shop, socialise and visit.
- 6.5 The Sub-Committee is responsible for reaching out to all age groups to discover their views and opinions on what they appreciate about the town, what services and facilities they consider to be important and what further improvements could be made to facilitate tourism, retail, visiting, and access to services. The Sub-Committee shall also provide a conduit for local charities, individuals and organisations to interact with residents by publicising the range of activities and support available.
- 6.6 Provide a conduit for local charities, individuals and organisations to interact with residents by publicising the range of activities and support available.

Constitution Advisory Committees:

- 7.0 Advisory committees are non-decision-making entities established by the Council and its standing committees from time to time as required.
- 7.1 Advisory committees consist of up to five Members of Great Dunmow Town Council and may co-opt additional non-members as is seen fit by each committee, save for scrutiny panels which shall consist of no more than three members.
- 7.2 Advisory Committees may exist in one of the following prescribed formats:

Working Groups

- 7.3 Working Groups are standing advisory committees specifically constituted for the ongoing handling of perpetual, delegated business, and recurring events. Working groups are primary Member led but may also co-opt members of the public.

Review /Task and Finish Groups

- 7.4 Review /Task and Finish Groups are specifically designated to the exploration of a single issue for report to a relevant parent committee. A group should open, consider an issue, produce a report of recommendations, and thereafter be dissolved, unless additional review has been directed by the parent committee.

Scrutiny Panels

- 7.5 Scrutiny Panels are functions of transparency and oversight which consist of three members holding certain powers of intervention, as set out in their specific Terms of Reference.

Steering Groups

- 7.6 Steering Groups are exploitative, consultative, collaborate and research based advisory committees that may exist to provide oversight to a project, act as a project board and provide opinions. Steering Groups are member led but will usually consist of a majority of co-optees who are non-council members.

Advisory Committees

Climate Crisis Working Group

- 7.7 The Climate Crisis Group is delegated full responsibility for all matters in relation to reducing the Town Councils carbon footprint and the promotion of sustainable services.
- 7.8 The Climate Crisis Group is responsible for the scrutiny of all capital expenditure projects and the production of a climate scrutiny report for any capital expenditure project, to be received by the relevant project parent committee.
- 7.9 The Working Group reports to the Downs & Commons Committee.

Neighbourhood Plan Steering Group

- 7.10 The Neighbourhood Plan Steering Group is responsible for the production, maintenance, review, and promotion of Great Dunmow's Neighbourhood Plan, including all relevant statutory compliance.
- 7.11 The Steering Group reports to the Planning and Transport Committee.

Finance Scrutiny Panel

- 7.12 The Finance Scrutiny Panel meets twice a year to conduct the Council's Financial Risk Assessment exercise and consist of three members.
- 7.13 The Finance Scrutiny Panel reports to the Finance and Policy Committee.