

COMMERCIAL SERVICES COMMITTEE

1.0 CONSTITUTION

1.1 The Committee shall comprise of 11 members of Council who shall be appointed by Full Council (from the full membership). Its quorum is 5.

2.0 OBJECTIVES

2.1 To formulate policy, monitor and oversee the Service Delivery Plans for the Council's commercial services to achieve the Council's corporate objectives and priorities.

2.2 To promote and oversee the Council's commitment to exploring the commercial opportunities in the delivery of its priority services.

3.0 TERMS OF REFERENCE

3.1 The Committee's terms of reference shall be:-

3.2 To approve and monitor performance against Service Delivery Plans and business plans for the following service areas:-

- Parks and Open Spaces
- Markets and Town Centres Services
- Leisure, Tourism and Community Services

3.3 To approve key policies and procedures as defined within the specific Service Delivery Plans (as defined in paragraph 3.2) not reserved for full Council, including:

- Approval of final car parking orders;
- Purchase, disposal and development of the Council's assets, including land and buildings;
- Award grants for the following grant schemes i.e. Community Projects, Voluntary Organisations and Service Level Agreements in excess of £5000pa;
- Responsibilities under the 2004 Children's Act;
- Responsibilities under the Police and Justice Act 2006
- Assets of Community value
- Discretionary Rate Relief

3.4 To oversee the Council's asset development function through the appointment of an Asset Development Sub Committee.

3.5 To consider proposals for closer partnership working for services as defined in paragraph 3.2.

3.6 To appoint 'Service Delivery Champions' as defined in the Constitution (2:03) and referred to below:

3.7 Approval of matters detailed above must be within the agreed budget and virement rules for the services defined in paragraph 3.2.

3.8 To make nominations to any relevant outside bodies for Commercial Services Committee from the wider membership of the Council for a period of up to 4 years.

4.0 Delegation to Commercial Services Committee

4.1 Subject to the provisions of the Council's Constitution, the Committee has delegated authority to act on behalf of the Council in relation to the above, unless

- reserved to Council; and
- delegated to officers under these or the other Committee terms of reference.

5.0 Delegation to Officers

5.1 The Chief Executive or appropriate Head of Service [From 1st September 2014 Chief Executive /Commercial Manager or appropriate Service Manager,] are authorised to act in relation to any matter of immediate urgency, which must be dealt with before the next meeting of the Committee provided:

- the Chairman or Vice-Chairman of the Committee is consulted prior to the delegated decisions being made;
- the Service Delivery Champion is consulted prior any action taken under this delegated power;
- spokespersons of minority groups are notified immediately of any action taken under this delegated power;
- action taken is reported to the next Committee; and
- it excludes any decision, which is by law expressly vested in the Council.

5.2 There shall be delegated to the Chief Executive or appropriate Head of Service [From 1st September 2014 Chief Executive / Commercial Manager or appropriate Service Manager within their appropriate remit, the exercise of any power or function of the Council in routine matters related to the implementation of agreed Strategies, Policies and programmes, falling within established policies and procedures and within existing budgets.

_____ For the avoidance of doubt this delegation shall include the power to authorise others to exercise such powers.

This delegation shall not be taken to include any matter reserved to Full Council.

5.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters set out below (whether Policy approval, monitoring or operational matters have been delegated to a Sub-Committee or not) under the Listed Acts or any amendment, modification or re-enactment of those Acts, or Regulations/Orders made under those Acts:

<p>Localism Act 2011 <u>Chapter 3 Assets of Community Value</u> Register of Assets of Community Value (to consider applications for nomination)</p> <p><u>Appeals</u></p> <p><u>Compensation</u></p> <p><u>First Tier Tribunal claims</u></p>	<p>Principal Leisure & Community Services Officer, Principal Solicitor & Principal Forward Planning Officer</p> <p>Commercial Manager or Chief Executive</p> <p>Head of Finance (Financial Services Manager from 1st September 2014)</p> <p>Principal Solicitor</p>
<p><u>Grants</u> Determination of all community grant requests under £5,000 under established grant schemes (EXCEPT housing and building grants – see Development & Transport Committee).</p>	<p>Principal Community and Leisure Services Officer or Partnerships Officer</p>
<p><u>Car Parking</u> The maintenance and running of off-street car parks.</p>	<p>Head of Community Services Or Chief Executive</p> <p>From 1st September 2014 Commercial Manager or team leader Tourism and Town Centre Services</p>
<p><u>To institute legal proceedings contravention of off-street car parking orders.</u></p>	<p>Principal Solicitor</p>
<p><u>Grants</u> Determination of all community grant requests under £5,000 under established grant schemes (EXCEPT housing and building grants – see Development & Transport Committee).</p>	<p>Head of Community Services or Chief Executive</p> <p>From 1st September 2014 Principal Community and Leisure Services officer or Partnership Officer</p>
<p><u>The appointment of additional market dates for markets established under the Food Act 1984</u></p>	<p>Team Leader Tourism & Town Centres Services or Chief Executive, in consultation with the Chairman/Vice-Chairman of Committee</p>