

Olney Town Council

Scheme of Delegation

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This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, Standing Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

The Responsible Financial Officer to the Council shall be responsible for the proper administration of the Town Council's financial affairs in accordance with the Accounts and Audit Regulations in force at any given time.

2. Proper Officer

2.1 The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- 2.1.1** To receive declarations of acceptance of office.
- 2.1.2** To receive and record notices disclosing personal and prejudicial interests.
- 2.1.2** To receive and retain plans and documents.
- 2.1.3** To sign notices or other documents on behalf of the Council.
- 2.1.4** To receive copies of by-laws made by the unitary authority.
- 2.1.5** To certify copies of by-laws made by the Council.
- 2.1.6** To sign summonses to attend meetings of the Council.

2.2 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- 2.2.1** The day-to-day administration of services, together with routine inspection and control.
- 2.2.2** Day to day supervision and control of all staff employed by the Council.
- 2.2.3** Authorisation of routine expenditure within the agreed budget up to a limit of £2,000.
- 2.2.4** Emergency expenditure up to £4,000 outside the agreed budget.

2.3 Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, and this Scheme of Delegation and with directions given by the Council from time to time.

3. Council

The following matters are reserved to the Council for decision, notwithstanding that the appropriate committee may make recommendations for the Council's consideration:

- 3.1** Setting the Precept.
- 3.2** Borrowing money.
- 3.3** Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- 3.4** Making, amending, or revoking by-laws.
- 3.5** Making of orders under any statutory powers.
- 3.6** Matters of principle or policy.
- 3.7** Nomination and appointment of representatives of the Council to any other authority, organisation, or body (excepting approved conferences or meetings).
- 3.8** Any proposed new undertakings.
- 3.9** Prosecution or defence in a court of law.
- 3.10** Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.
- 3.11** To respond to public consultations on matters affecting the town other than

those that are properly dealt with by an appropriate committee.

4. Committees

- 4.1 The **Finance Committee** shall consider and determine the following matters as outlined in the following Terms of Reference:
- 4.1.1 Matters of financial council administration and policy.
- 4.1.2 The committee shall review and, where necessary, make recommendations to the Town Council on matters of financial administration in accordance with the Council's Finance Regulations.
This will include but not be limited to:
- a) Regular review of financial statements.
 - b) Budget monitoring where necessary in accordance with Financial Regulations.
 - c) Preparation and presentation of Annual Budgets to the Town Council, in accordance with regulations.
 - d) Review and recommend to Full Council the Annual Accounts.
 - e) Carry out and review an annual Financial Risks Assessment of Procedures.
 - f) Confirmation of arrangements for insurance cover in respect of all insurable risks.
 - g) The committee shall consider all financial internal and external reports. Where necessary, the committee shall make recommendations on any remedial action.
 - h) The committee shall recommend to Council the Annual Precept request as part of budget procedures.
 - i) To make recommendations and to receive reports from the HR Committee on staff establishment and salaries.
 - j) The committee may bid for funding, other than the Annual Precept, on the Council's behalf.
 - k) The committee shall consider all grant applications received.
 - l) To submit items within the Finance committee remit for inclusion in the budget for the following year.
 - m) Approval of expenditure up to a limit of £10,000 on items within the committee's area of responsibility up to the amount specified and included in the budget.
- 4.2 The **Recreation and Services Committee** shall consider and determine the following matters as outlined in the following Terms of Reference:
- 4.2.1 To oversee the operation and maintenance of all recreation grounds, parks and public open spaces.
- 4.2.2 To oversee the operation and maintenance of the Council's allotments.
- 4.2.3 To oversee the operation and maintenance of the cemetery, burial responsibilities, and associated duties.
- 4.2.4 To oversee the operation and maintenance of the markets held in the town to include the Thursday market and the Farmers Market.
- 4.2.5 To oversee the operation and maintenance of the public lavatories.
- 4.2.6 To promote community use of all public open spaces owned by the Town Council.
- 4.2.7 To keep under review the Council's transport and machinery needs and direct the management of the vehicles in the council's fleet.
- 4.2.8 To support the development of a number of annual Town Council backed events, working in partnership and co-operation with other groups and seeking to involve a wide cross section of the community as possible, including young people in the planning process.
- 4.2.9 To submit items within the Recreation and Services Committee's remit for inclusion in the budget for the following year.
- 4.2.10 To deal with all other matters relating to amenities and the environment, including horticulture (trees, bulbs, flowers, shrubs etc).
- 4.2.11 Overseeing the maintenance and management of buildings other than The Olney Centre, used or managed by the Town Council.

- 4.2.12 To develop policies relating to the areas of the committee's responsibility including risk assessments, booking terms conditions, health and safety, and Fire Safety Policy. These can then be recommended to Olney Town Council for approval.
- 4.2.13 Approval of expenditure up to a limit of £10,000 on items within the committee's area of responsibility up to the amount specified and included in the budget.

4.3 The **Development Committee** will be responsible to the council as outlined in the following Terms of Reference:

4.3.1 Objective

- a) Olney Town Council is an advisory body to the Planning Authority (Milton Keynes Council) for all planning applications that directly relate to the parish.
- b) The Development Committee is constituted to consider and respond on behalf of the Council to all applications for planning permission and planning appeals referred to Olney Town Council by the Planning Authority.

4.3.2 Membership shall consist of such members as appointed by the Town Council

4.3.3 Standing Orders and Policy

- a) The Standing Orders approved by Olney Town Council for Council meetings will apply to meetings of the Development Committee.
- b) Three (3) members will constitute a quorum.

4.3.4 Responsibilities

- a) All power and duties of the Council in respect of the powers conferred on it from time to time under the Town and Country Planning Acts and the Orders and Regulations including development control and the local planning process remain with the Full Council of Olney Town Council.
- b) The Development Committee has the delegated authority:
 - i. To make representations to the Local Planning Authority on applications for planning permission which have been notified to the council;
 - ii. To make representations in respect of appeals against the refusal of planning permission;
 - iii. To identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations
 - iv. To deal with any other planning related matter referred to the Development Committee.

4.3.5 In general, it will implement the Vision Statement: To maintain Olney as a thriving, dynamic and historic town, preserving where necessary, and improving where possible. To manage change in order to maximise the advantages and minimise the problems.

4.3.6 In particular, the committee will implement Section 16 of the Neighbourhood Plan – Implementation and Monitoring.

- a) In accordance with Section 16.3 it will review, decide, and make recommendations in order that all the objectives of policies ONP9 to ONP 16 and Objective 6 can be realised. It will be necessary to ensure that there is close co-ordination with other committees, in particular the Recreation and Services committee.
- b) It will undertake all necessary consultations.
- c) It will provide a report at each Annual Town Council Meeting of the progress made on the Plan.

4.3.7 When it considers it necessary, the committee will engage professional advice on the development of any schemes they may wish to progress.

4.3.8 The committee will engage with Milton Keynes Council to obtain funding from the Section 106 contributions in accordance with Objective 10 - Developer Contributions. It will also investigate other sources of funding as appropriate.

4.3.9 To make recommendations on projects to council for approval

4.3.10 To submit items within the committee's remit for inclusion in the budget for the

following year

- 4.3.11 It will provide a report to the town council on the progress being made on the implementation of the Neighbourhood Plan.
- 4.3.12 The committee shall consist of up to 10 councillors and up to 5 co-opted representatives, the co-opted representative will have no say in planning applications.
- 4.3.13 Approval of expenditure up to a limit of £10,000 on items within the committee's area of responsibility up to the amount specified and included in the budget, subject to approval at full Council.
- 4.3.14 Meetings will be held monthly as determined by the Town Council.

- 4.4 The **Human Resources (HR) Committee** is appointed to make recommendations about all staffing matters subject to budget and expenditure limits recommended by the finance committee and approved by Olney Town Council as outlined in the following Terms of Reference:

- 4.4.1 The Mayor will be the line manager for the Clerk, in the Mayor's absence, the Deputy Mayor will be the line manager.
- 4.4.2 To establish and keep under review the staffing structure in consultation with the finance Committee and with approval of Olney Town Council.
- 4.4.3 To draft, implement, review, monitor and revise policies for staff.
- 4.4.4 To establish and review salary pay scales for all categories of staff and to be responsible for their administration and review.
- 4.4.5 To oversee the recruitment and appointment of staff.
- 4.4.6 To arrange execution of new employment contracts and changes to contracts.
- 4.4.7 To establish and review performance management policy (including annual appraisals) and staff training programmes
- 4.4.8 To oversee any process leading to dismissal of staff (including redundancy)
- 4.4.9 To keep under review staff working conditions, and related health and safety matters.
- 4.4.10 To monitor and address regular sustained staff absence.
- 4.4.11 To make recommendation on staffing related expenditure to the Finance Committee and then to Olney Town Council for approval
- 4.4.12 To consider an appeal against any decision in respect of pay.
- 4.4.13 To review the process of an appeal against any grievance or disciplinary matter.
- 4.4.14 The committee is committed, as far as is reasonably practicable, to securing the Health, Safety and Wellbeing of its employees by ensuring that relevant courses are available and the continuous improvement of workplace conditions.

- 4.5 The **Dickens of a Christmas Committee** shall be delegated to make decisions on behalf of the Council in the following matters as outlined in the following Terms of Reference:

- 4.5.1 To set the date for the annual Dickens of a Christmas market.
- 4.5.2 To oversee the operation and management of the event.
- 4.5.3 To set the rates for all stall holders.
- 4.5.4 Approval of expenditure up to a limit of £10,000 on items within the committee's area of responsibility up to the amount specified in the budget.

- 4.6 The **Olney Centre management Committee** shall consider and determine the following matters as outlined in the following Terms of Reference:

- 4.6.1 Overseeing the maintenance and management of The Olney Centre buildings, and equipment used or managed by the Town Council.
- 4.7.2 To develop policies relating to the areas of the committee's responsibility including risk assessments, booking terms condition, health and safety, and fire Safety Policy. These can then be recommended to Olney Town Council for approval.
- 4.7.3 To submit items within the Olney Centre Management Committees, remit for inclusion in the budget for the following year.
- 4.7.4 Approval of expenditure up to a limit of £10,000 on items within the committee's area of responsibility up to the amount specified and included in the budget, until the budget is reached.

5. Working Groups / Parties

Working groups / parties may be formed by resolution of the Council or a committee at any time. The work of such a working group / party will be decided upon at the time it is formed by means of a minute detailing the terms of reference. Each working group / party will report back with recommendations to the Council or the committee that formed it.

6. Urgent Matters

- 6.1 In the event of any matter arising which requires an urgent decision the Town Clerk shall consult the Chair of the appropriate committee and with the agreement of that member shall have delegated power to act on behalf of the Council in respect of the particular matter under consideration.
- 6.2 Before exercising the delegated powers granted by paragraph 6 (1) above, the Town Clerk and those members consulted shall consider whether the matter is of sufficient importance to justify the summoning of a special meeting of the appropriate committee and where a meeting is so summoned the committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 6.3 Any action that is taken as a matter of urgency shall be reported to the next meeting of the council or committee as appropriate.
- 6.4 Before exercising the delegated powers granted by paragraph 6 (1) above, the committee concerned shall consider whether the matter is of sufficient importance to justify recommending to the Mayor that a special meeting of the Council should be called in accordance with Standing Order 17.

7. Delegation – Limitations

- 7.1 Committees and officers shall, at all times, act in accordance with the Council's standing orders, financial regulations and this scheme of delegation and, where applicable, any other rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.