

# **Olney Town Council**

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## **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:

- (1) To receive declarations of acceptance of office.
- (2) To receive and record notices disclosing personal and prejudicial interests.
- (3) To receive and retain plans and documents.
- (4) To sign notices or other documents on behalf of the Council.
- (5) To receive copies of by-laws made by the unitary authority.
- (6) To certify copies of by-laws made by the Council.
- (7) 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:

- (1) The day to day administration of services, together with routine inspection and control.
- (2) Day to day supervision and control of all staff employed by the Council.
- (3) Authorisation of routine expenditure within the agreed budget up to a limit of £2,000.
- (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

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

- (1) Setting the Precept;
- (2) Borrowing money;
- (3) Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- (4) Making, amending or revoking by-laws;
- (5) Making of orders under any statutory powers;
- (6) Matters of principle or policy.
- (7) Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings);
- (8) Any proposed new undertakings;
- (9) Prosecution or defence in a court of law;
- (10) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.
- (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:

- (1) Matters of council administration and policy.
- (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
- (3) The committee shall consider all internal and external reports. Where necessary, the committee shall make recommendations on any remedial action.
  - (4) The committee shall recommend to Council the Annual Precept request as part of budget procedures.
  - (5) To make recommendations and to receive reports from the HR Committee on staff establishment and salaries
  - (6) The committee may bid for funding, other than the Annual Precept, on the Council's behalf.
  - (7) The committee shall consider all grant applications
  - (8) To submit items within the Finance committee remit for inclusion in the budget for the following year
  - (9) 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:

- (1) To oversee the operation and maintenance of all recreation grounds, parks and public open spaces.
- (2) To oversee the operation and maintenance of the Council's allotments.
- (3) To oversee the operation and maintenance of the cemetery, burial responsibilities and associated duties.
- (4) To oversee the operation and maintenance of the markets held in the town to include the Thursday market and the Farmers Market.
- (5) To oversee the operation and maintenance of the public lavatories.
- (6) To promote community use of all public open spaces owned by the Town Council.
- (7) To keep under review the Council's transport and machinery needs and direct the management of the vehicles in the council's fleet.

- (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.
- (9) To oversee the operation and maintenance of Christmas lights and trees. To ensure that contractors having up to date risk assessments, insurance etc
- (10) To submit items within the Recreation and Services Committee's remit for inclusion in the budget for the following year.
- (11) To deal with all other matters relating to amenities and the environment, including horticulture (trees, bulbs, flowers, shrubs etc).
- (12) 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 **Olney Centre Management Committee** shall consider and determine the following matters:

- (1) Overseeing the maintenance and management of The Olney Centre buildings, and equipment used or managed by the Town Council.
- (2) 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.
- (3) To submit items within the Olney Centre Management committee's remit for inclusion in the budget for the following year.
- (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

4.4. The **Planning Committee** shall consider and determine the following matters:

- (1) To comment on behalf of the Council on Local Development Plans, , Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate
- (2) To make representations to the Local Planning Authority (LPA) on applications for planning permission which have been notified to the council including attending and addressing the LPA committee and Panel for every permission application determination where the

committee moved for refusal and requests MKC that the application determination takes place at MKC Committee or Panel.

- (3) To make representations in respect of appeals against the refusal of planning permission
- (4) To identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations
- (5) To deal with any other planning related matter referred to the council
- (6) To deal with any licensing matters referred to the council
- (7) Any other matter which may be delegated to it by the council from time to time
- (8) 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

**In the circumstances where Council has not resolved to delegate duties to an HR standing Committee all references to HR Committee below shall be regarded as references to full Council**

4.5. The **Human Resources (HR) Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- (1) To make recommendations on the appointment of staff required to implement decisions and functions of the Town Council.
- (2) To deal with all employee issues, including disciplinary and grievance matters.
- (3) Appraisal of the Town Clerk by three members of the committee.
- (4) To oversee Contracts of Employment, employment policies, job specifications, appraisals and rates of pay for all staff.
- (5) To submit items within the Committee's remit for inclusion in the budget for the following year
- (6) 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

4.6. The **Dickens of a Christmas Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- (1) To set the date for the annual Dickens of a Christmas market.
- (2) To oversee the operation and management of the event.

- (3) To set the rates for all stall holders
- (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

4.7. The **Olney Development Group** shall be delegated to make decisions on behalf of the Council in the following matters

- (1) 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.
- (2) In particular, the committee will implement Section 16 of the Neighbourhood Plan - Implementation and Monitoring.
  - 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.
  - It will undertake all necessary consultations
  - It will provide a report at each Annual Town Council Meeting of the progress made on the Plan.
- (3) When it considers it necessary, the committee will engage professional advice on the development of any schemes they may wish to progress.
- (4) 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.
- (5) Make recommendations on Projects to Council for approval
- (6) To submit items within the Committee's remit for inclusion in the budget for the following year
- (7) It will provide a report to the town council on the progress being made on the implementation of the Neighbourhood Plan.
- (8) The committee shall consist of 10 councillors
- (9) 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

## **5. Working Groups / Parties**

- 5.1. 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 Chairman 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.