

Appendix C to Standing Orders

Wolverton and Greenleys Town Council

Scheme of Delegation

Adopted 23 rd May 2023	Minute ref TC23/020	

SCHEME OF DELEGATION

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees of the Council to act with delegated authority in the specific circumstances as detailed.

1. Proper Officer and Responsible Financial Officer - Duties and Powers

1.2 Responsible Financial Officer

The Town Clerk acts as the proper officer and Responsible Financial Officer (LGA 1972 s1.51) is responsible for all the statutory duties imposed on these two offices and is responsible for ensuring that the accounting procedures are in accordance with the Accounts and Audit Regulations in force at any given time and that these are followed

2. Proper Officer

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

1. Receive declarations of acceptance of office;
2. Receive and record notices from Councillors disclosing interests;
3. Receive and retain plans and documents;
4. Sign Notices or other documents on behalf of the Council;
5. Receive copies of By-laws made by the Unitary Council;
6. Certify copies of By-laws made by the Council;
7. Sign and issue summonses to attend meetings of the Council.
8. Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)
9. Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office

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. This should include PO's up to the amount as set out in the Financial Regulations
4. Emergency expenditure up to £25,000 outside of the agreed budget.
5. 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(s) may make recommendations thereon 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 Parish, excluding those matters specific to a committee;
11. Approving the annual return;
12. Confirming eligibility to exercise the General Power of Competence

4. Committees:

- A. Finance Committee** 6 Councillors of the Town Council to be elected at the Annual Council meeting in May each year. *Quorum to be 3 elected members.*

Terms of Reference:

The committee meets according to the council's schedule of meetings and shall be delegated to make decisions on behalf of the Council in the following matters:

1. to review the council's banking arrangements and accounting systems regularly
2. to monitor the council's income and expenditure against the budget
3. to prepare the council's annual budget
4. to make a recommendation to the council of the precept required for the next financial year
5. to consider financial planning and the allocation of reserves
6. to ensure the council is adequately insured
7. to ensure the council observes its financial regulations
8. to review the financial regulations and financial risk assessment annually, make recommendations for change to the council
9. to receive internal and external audit reports and implement any recommendations
10. to review the council's charges annually
11. to oversee all legal matters pertaining to leases, insurance claims, easements, tenancies, contracts, loans, insurance cover, damage to property, debt recovery and make recommendations to the council.

The committee shall **not**:

- authorise the council's payments
- approve the council's banking arrangements
- fix the precept for the following year.

The following matters are reserved to the Council for decision, but the Committee may

make recommendations:

- Setting the Budget and Precept
- The Committee may refer specific matters to the Council for a final decision if it so wishes.

B. Planning Committee 6 Councillors of the Town Council to be elected at the Annual Council meeting in May each year. *Quorum to be 3 elected members.*

Terms of Reference:

The committee meets according to the council's schedule of meetings.

Full Council (and members of the public) are welcome to attend to pass comment on the application, but do not have a voting right.

The committee responsibilities are and shall be delegated to make decisions on behalf of the Council in the following matters

1. To consider all planning applications for the Town Council area and make comment to the Planning Authority.
2. To consider all licensing applications for the Town Council area and make comment to the Licensing Authority.
3. To consider all Street Naming
4. To recommend to Full Council to call any necessary Public Meetings relating to large (which are 10 or more dwellings or large-scale retail units) and or contentious applications.
5. To consider and pass comment on all Milton Keynes Planning Policies.
6. Arrange for a member, when necessary, to attend Milton Keynes Development Control Meetings as a representative for the Council. This member will be confirmed to MKC Planning by an officer from WGTC.

All matters relating to Neighbourhood Plans should be discussed by Full Council.

Any large or contentious applications to be dealt with by the Full Council.

The committee will have an item on each agenda 'to receive an update on previously discussed planning and licensing applications. This will enable members to keep up to date on any relevant developments on the applications and appoint a member to speak on the application at Milton Keynes Development Control Committee or arrange a public meeting. Under this item the committee will not be able to alter their comments agreed on the application.

The committee will have an item on each agenda 'to receive an update on Enforcement issues'

Should applications fall outside of the meeting, or the meeting is not quorate the clerk and the chair are delegated to provide comments to MKCC

C. Personnel committee 6 Councillors of the Town Council to be elected at the Annual Council meeting in May each year. *Quorum to be 3 elected members*

The Personnel committee shall be delegated to make decisions on behalf of the Council in the following matters.

To provide advice and to make recommendations to Full Council for approval on any Human Resources matters to ensure that the Council is able to attract and retain a professional, motivated and competent workforce and meets its obligations as an employer.

Terms of Reference:

1. To review the terms and conditions on which employees hold office.
2. To review the effects of changes in employment law and alterations in National and provincial Agreements on the Council's policies and practices, provided no significant policy or resource issues are involved.
3. The Committee will ensure that the remuneration and benefits offered to existing and new staff is in line with industry standards (NJC Green Book), is fair and affordable to the Council.
4. To annually moderate the Staff appraisals as carried out by the Clerk and Chair of the Full Council and to resolve any issues arising out of those appraisals at a separate meeting.
5. To annually review the Terms of Reference.
6. To review Job Evaluations for new posts and where job descriptions have been amended are carried out by the Clerk for all employees to ensure staff are on the correct level of salary scale and commensurate benefits.
7. Job Evaluations are undertaken by the Clerk
8. Job descriptions are to be reviewed on an annual basis in line with the NJC Green Book
9. To review the Employee Handbook every five years or as the need arises.
10. To annually review policies and procedures as relates to staff.

Scope:

- To meet three times a year at which the first duty will be to elect a chairperson for that meeting.
- To ensure that staff performance and well-being is regularly appraised and to oversee the resolution of any performance issues that may arise.
- To administer any Personnel related appeal process
- To seek professional advice when necessary

Membership:

- Town Council Clerk to scribe for the annual meeting or appeal meetings unless there is a perceived conflict of interest.
- A Councillor not on the committee to scribe for any appeal process involving the Clerk.

Delegated Powers:

1. The Committee will debate and set the budget for all staff remuneration, benefits and training by December of each year for Full Council approval for inclusion in the budget.
2. The Committee will recommend and seek approval from the Full Council for changes to staff remuneration and benefits when appropriate.
3. The Committee will have responsibility for investigating and resolving all appeals raised as a result of the appraisal system or as a result of the Town Council's disciplinary or Grievance procedure.
4. The Committee will seek professional advice where necessary.

8. Formation of Standing Sub-Committees

There are no other Standing Sub-committees, but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Sub-committee is formed by means of a Minute detailing the Terms of Reference.

9. Formation of 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.

10. Delegation to committees and sub committees – Limitations

Committees and Sub Committees shall, always, act in accordance with the Councils 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.