

Otley Town Council

Committee

Terms of Reference

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OTLEY TOWN COUNCIL

DELEGATION OF POWERS

Committees may exercise delegated functions on behalf of the Town Council under the terms of reference on the following pages, subject to:

- (a) The Town Council's approved Standing Orders, Budget and Financial Regulations;
- (b) Any previous minuted decision of the Town Council;
- (c) Any matters reserved to the Town Council by law.

DELEGATION

(1) General

- (a) Each Committee has its own Terms of Reference and is able to take decisions within the limits given to it. In general, Committees are responsible for advising on, monitoring and reviewing their areas of responsibility, identifying priorities for the future and working within the approved Committee budget.
- (b) Where powers or duties have been delegated to a Committee it shall be permissible for that Committee in turn to assign functions or delegate powers and duties to the Executive Officer/RFO or a Sub-Committee, provided that any action taken under delegated powers by the Executive Officer/RFO or a Sub-Committee shall be reported to the next meeting of the appropriate Committee or Sub-Committee (or Council) for information.
- (c) A committee may set up a working group to investigate, consider and report back with recommendations on any issue.

(2) Chair's powers

- (a) The Executive Officer/RFO may, in consultation with the Chair and Deputy Chair of a Committee or Sub-Committee, decide or take action on such matters within the (Sub) Committee's terms of reference as will not admit of delay, subject to the members of the (Sub) Committee being informed/consulted via e-mail and a report indicating such action being submitted to the next meeting of the appropriate (Sub) Committee.
- (b) The Chair may, in consultation with the Executive Officer, decide whether to summon an extra-ordinary meeting of a Committee, or whether items submitted for Committee consideration will await consideration at the next scheduled meeting of the Committee.
- (c) That (a) above be taken to include the Mayor in the absence of either the Chair or Deputy Chair.
- (d) The Mayor may attend any Committee or Sub-Committee meeting ex officio with full voting rights.

(3) Delegation to the Executive Officer/RFO

Specific Delegations

The following list of delegations to the Executive Officer/RFO may, from time to time, be further delegated to the Council's officers at the discretion of the Executive Officer/RFO.

- (a) To be and carry out the functions of the Proper Officer under the Local Government Act 1972; to arrange and call meetings of the Town Council and its Committees and Sub-Committees and to implement decisions thereof.
- (b) The general management of the Council's services in accordance with the policies determined from time to time by the Council and its Committees, including dealing with correspondence and requests for information.
- (c) The day-to-day management of the Town Council's facilities.
- (d) The initiation of new arrangements and revision of existing arrangements for the improved management of Council establishment providing the estimated cost has been included in the current revenue budget.
- (e) The determination of the use of existing office accommodation, the purchase of equipment and the authorisation of repairs and maintenance to all buildings and equipment within the financial limit of the current revenue budget.
- (f) The management, development, appraisal and discipline of employees within the Council's approved establishment in accordance with the policies and procedures determined from time to time by the Human Resources Committee.
- (g) The exercise and virement within a Committee's budget, after approval by the Policy & Resources Committee.
- (h) To be the nominated Data Management Officer of the Council and be responsible for responding to requests made under the Freedom of Information Act.
- (i) Any action necessary in an emergency to protect the Council's property or assets or minimise its liabilities, subject to consultation where practicable with the Chair or Deputy Chair of Policy & Resources and to report back to the next appropriate Council meeting.
- (j) To be and carry out the functions of the Responsible Financial Officer under the Local Government Act 1972, including the maintenance of the Council's accounts, arrangements for internal audit and the preparation of budget estimates for the forthcoming year.
- (k) To make arrangements to pay the salaries and wages of employees of the Council.

Further Delegations

The Council may from time-to-time further delegate action to the Executive Officer alone, or to the Executive Officer in consultation with the appropriate Committee Chair. Such delegation will be clearly minuted and revised accordingly.

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OTLEY TOWN COUNCIL

POLICY & RESOURCES COMMITTEE

Role

The principal policy and decision-making Committee of the Council where the strategic direction and long-term vision for the environmental, economic and social needs and well-being of the Parish are determined.

Responsibilities

To regularly review organisational and administrative structures, governing documents, procurement, policies and procedures to improve the Council's effectiveness, and to deal with any other matters not falling within the terms of reference of another Committee or Sub-Committee of the Council.

Membership, Chair, Quorum and Accountability

Number of Members	All Councillors
Substitute Members Permitted	No
Appointments/Removals from Office	N/A
Restrictions on Appointment	N/A
Restrictions on Chair /Vice-Chair	Chaired by the Chair or Vice-Chair of Policy & Resources Committee
Quorum	Five
Number of meetings per Council Year	Minimum of four – to be convened by the Proper Officer with a Public Notice of the meeting in accordance with Schedule 12, Para 10 (2) of the Local Government Act 1972
Current Sub-Committees	None
Accountability	N/A
Meeting Restrictions	Due to the confidential nature of some items of business to be transacted it will be necessary to hold meetings (or parts thereof) in private in pursuance of Public Bodies (Admission to Meetings Act 1960 Section 1 as amended 2014 and by the Openness of Local Government Bodies Regulations 2014). This can be done at any point during the meeting. Staff will also be required to leave unless otherwise agreed by the Committee and a Councillor will be nominated to record the discussion and any resolutions during this period.

Terms of Reference

1. To appoint Committees and the members of Committees.
2. To approve a calendar of meetings of the Council and its Committees.
3. To nominate persons to represent the Council on other organisations and outside bodies.

4. To approve Standing Orders and Financial Regulations.
5. To agree that the Council meets the eligibility criteria of the General Powers of Competence.
6. To review and update the Councillors Code of Conduct.
7. To produce an Annual Report.
8. To enter into any legal proceedings on behalf of the Council.
9. To advise on any major policy changes in the Council's management or administrative procedures.
10. To identify the need for new services and facilities including the provision of Council offices.
11. To respond to consultative documents from Government and other bodies other than those specifically allocated to other Committees or Sub-Committees.
12. To consider any expenditure not within previously approved budgets.
13. To formulate and recommend a budget and proposed precept to Full Council annually.
14. To monitor the ongoing budget, comparing actual income and expenditure to plans.
15. To borrow money for statutory functions and/or any other activity as deemed necessary and appropriate.
16. To administer the use of Community Infrastructure Levy within the Council's budget.
17. To administer the use of the Investing In Otley Fund.
18. To consider the delegation of appropriate services to the Town Council from other authorities.
19. To consider any requests for the use by other organisations of the Town Council's Armorial Bearings.
20. To oversee the delivery of major town events (such as Otley Christmas Lights and Otley 800).
21. To promote Otley and the Town Council.
22. To take cognisance of the Otley Neighbourhood Plan and measure progress against it.
23. To take cognisance of the Council's commitment to carbon reduction and biodiversity.
24. To apply the Town Council's commitment to equality, diversity and inclusivity.
25. To act upon or commission any services or capital expenditure as deemed appropriate and in accordance with the annual budget, including applying for any external grant funding.
26. To be responsible for preparing a draft budget for each coming financial year in respect of the functions of the Policy & Resources Committee and to submit this to the Full Council for consideration by no later than 31st January in any year.
27. To invite specialist professional officers or advisers to attend meetings to provide guidance as to matters under discussion.
28. To deal with any matters not normally dealt with or specifically referred to other Committees or Sub-Committees.

Delegated Powers

- The functions identified in paragraphs 1 to 20 above are fully delegated to the Policy & Resources Committee subject to any limitations or restrictions set out in the relevant paragraph.
- The Executive Officer/RFO or in their absence the Deputy Town Clerk, is authorised to act as and carry out the duties of the Senior Officer of the Council as necessary.
- All matters of an urgent nature requiring settlement before the next meeting may be dealt with by the Executive Officer after consultation with the Chair and/or Deputy Chair but must be submitted for approval or otherwise to the next meeting of the Committee.

Note

At the first meeting of the Policy & Resources Committee in each Council year, the order of business shall be as follows:

- a) Confirmation of the accuracy of the minutes of the last meeting of the Committee.
- b) Review of the Committee Terms of Reference.

Review

The Policy & Resources Committee's terms of reference are to be reviewed annually at the first meeting after the Annual Council meeting.