

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

ASSET MANAGEMENT COMMITTEE

Role

To ensure effective professional management of all council property and land for the safety of all users.

Responsibilities

To ensure all property and land owned by the council is maintained to a high standard and complies with all legislation. To manage the relationship the Council has with all contractors. To consider proposals on how the Council's land and property could be best utilised.

Membership, Chair, Quorum and Accountability

Number of Members	Five including the Mayor (ex officio)
Substitute Members Permitted	Yes – maximum of two. Only members of the Committee may vote on agenda items. Non-members may attend and speak on any item, with the permission of the Chair but they may not make or second any proposals or amendments. Non-Members of the Committee are subject to the same rules as Committee members regarding confidentiality and the requirements of the Councillor Code of Conduct.
Appointments/Removals from Office	By resolution of Policy & Resources Committee
Restrictions on Appointment	None, but recommended that both genders be represented
Restrictions on Chair /Vice-Chair	None – Chair to be elected at the first Policy & Resources meeting after the Annual Council meeting in election year and at the March P & R meeting every subsequent year.
Quorum	Three
Number of meetings per Council Year	Minimum of three – 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	The Committee has delegated powers to act/make decisions on behalf of the council in relation to the defined terms of reference only; any recommendations outside of the Committee's terms of reference shall be made by Policy & Resources Committee
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).

Terms of Reference

1. To oversee the maintenance, improvements and general upkeep of all council properties and land and maintain expenditure for maintenance.
2. To carry out and agree a schedule of inspections on assets.
3. To agree and monitor the priorities on the Council Maintenance Plan and agree repairs, safety and upkeep of the Council's properties and land.
4. To take any action considered appropriate in a situation where public and staff safety is at risk.
5. To carry out and review the valuations of all Council assets.
6. To ensure all activities carried out within the Council's property or on Council's land have due regard to Health & Safety, equalities and comply with all legislation.
7. To investigate the purchase of new property and land, changes of use of existing property and establishment of new lease agreements. All recommendations to be submitted to Policy & Resources Committee to ratify any proposed action in respect of these matters.
8. To oversee the Council's facilities, assets, services and activities including, but not limited to: Buttercross, Otley Core, Orchard Gate Public Toilets, Telephone Boxes, Maypole, Allotments, Gallows Hill, Town Council website.
9. To oversee allotments provision, management, improvement and funding.
10. To review tenant rent charges by December each year with a view to the allotments being self-funding.
11. The acquisition and disposal of items of plant, furniture, equipment and digital technology within approved budgets and as required to enable staff to carry out their duties.
12. To take cognisance of the Otley Neighbourhood Plan.
13. To take cognisance of the Council's commitment to carbon reduction.
14. To take cognisance of the Council's commitment to bio-diversity net gain.
15. To apply the Town Council's commitment to equality, diversity and inclusivity.
16. To act upon or commission any services as deemed appropriate and in accordance with the annual budget and the terms of reference of the Committee, including applying for any external grant funding.
17. To be responsible for preparing a draft budget for each coming financial year in respect of the functions of the Audit, Assets Management and Finance Committee and to submit this to the Full Council for consideration by no later than 31st December in any year.
18. To invite specialist professional officers or advisers to attend meetings to provide guidance as to matters under discussion.
19. Matters of an urgent nature requiring settlement before the next meeting of the Council may be dealt with by the Executive Officer after consultation with the Chair and/or Vice Chair of the Committee but must be submitted for approval at the next meeting of the Committee.

Delegated Powers

- The functions identified in paragraphs 1 to 16 above are fully delegated to the Audit, Assets Management and Finance Committee subject to any limitations or restrictions set out.
- The Executive Officer/RFO or in their absence the Deputy Clerk, is authorised to act as and carry out the duties of the Senior Officer of the Council.
- 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 Assets Management 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.
- c) Review of Committee resources.

Review

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