



Scheme of Delegation

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INTRODUCTION

With a few statutory exceptions, only the Full Council is able to make decisions on behalf of the corporate body, unless it makes explicit provision to delegate powers to either a committee or officer (or in some cases, another authority). These delegated powers are often enshrined in the Council's key governance documents including Standing Orders, Financial Regulations, and committee terms of reference in addition to other policies.

The purpose of the Scheme of Delegation is to consolidate these delegated powers into one document:

- providing a single point of reference to inform decision-making;
- ensuring that there is no conflict between different governance documents;
- clarifying lines of accountability; and
- confirming where statutory responsibilities sit.

The policy comprehensively covers all aspects of the Council decision-making process, and it is therefore intended as a key reference document for all staff and councillors, particularly: the Mayor and committee chairs; committee administrators; budget holders; and the Council's Senior Leadership Team.

It should also be publicly available and published online to provide those members of the community attending Council meetings with a guide to how the Council makes decisions.

A Scheme of Delegation is considered best practice by the National Association of Local Councils and is a requirement for Council seeking Quality Award status.

The Council's statutory power to delegate its functions is laid down in Local Government Act (LGA) 1972 s101. This states that power can only be delegated to a committee, sub-committee, or officer of the authority, or to another authority.

By virtue of the absence of any provision in s101, town and parish councils cannot delegate to an individual councillor. However, when acting as the chair of a meeting, a councillor has ex officio powers to regulate conduct in the meeting, as discussed below.

DELEGATION TO OFFICERS

The following matters are delegated to the Council's Officers to make decisions on behalf of the Council. These decisions must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.

Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council. Similarly, where Officers have no delegated power to make a decision they report the matter to Committee or the Council for a decision.

RESPONSIBLE FINANCIAL OFFICER

The Deputy Town Clerk is the Council's Responsible Financial Officer (RFO) and is responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at the time. The Assistant Town Clerk & DRFO shall act as the Deputy Responsible Financial Officer (DRFO).

PROPER OFFICER

The Town Clerk shall be the Proper Officer of the Council and is specifically authorised to carry out the statutory duties assigned to that role. The Deputy Town Clerk shall act as the Deputy Proper Officer.

Statutory and Administrative Duties:

- To receive Declarations of Acceptance of Office
- To receive and record notices disclosing personal and prejudicial interests
- To receive and record notices of requests for dispensations
- To receive and retain plans and documents
- To sign notices or other documents on behalf of the Council
- To receive copies of by-laws made by the local authority
- To certify copies of by-laws made by the Council
- To sign summonses to attend meetings of the Council
- To arrange insurance

Delegated Authority:

In addition, the Town Clerk / Deputy Town Clerk have the delegated authority to undertake the following matters on behalf of the Council:

- The day-to-day administration of services, together with routine inspection and control
- Day-to-day supervision and control of all staff employed by the Council
- The day-to-day administration and oversight for organised events and activities
- Authorisation of routine expenditure within the agreed budget
- Emergency expenditure up to £5,000 outside the agreed budget
- Matters specifically delegated by Council or Committee

COUNCIL

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

- Approval of the budget
- Setting the precept
- Appoint the Town Clerk
- Approval of the Annual Return and Audit of Accounts
- Agreement to write off bad debts £1,000 or over

- Approval by resolution, before payment, of any grant or single commitment in excess of £5,000.
- Authorisation as to terms and purpose for any application for Borrowing Approval and subsequent arrangements for the loan.
- Approval of any financial arrangement which does not require formal borrowing approval from the Secretary of State (e.g. hire purchase or leasing of tangible assets)
- Approval of purchase, acquisition by other means, sale, lease or disposal of tangible moveable property £1,000 or over.
- Approval of purchase, acquisition by other means, lease, sale or disposal of real property (interests in land).
- Approval of changes in earmarked reserves as part of the budgetary process
- Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- Making, amending or revoking by-laws
- Making of orders under any statutory powers
- Matters of principle or policy
- Appointment of Standing Committees
- Appointing Council Representatives to outside bodies
- All other matters which must, by law, be reserved to the Full Council

URGENT MATTERS

Urgent decisions on matters reserved to Council and required to be made before the next scheduled meeting of Council may be delegated to the Town Clerk / Deputy Town Clerk with the agreement of and in consultation with the Mayor and Deputy Mayor of the Council.

Urgent decisions on matters delegated to committees and required to be made before the next scheduled meeting of the relevant committee may be delegated to the Town Clerk / Deputy Town Clerk with the agreement of and in consultation with the Chairperson and Vice Chairperson of that committee.

COMMITTEES

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.

Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly where a Committee has no delegated power to make a decision it makes a recommendation to Council.

Each Committee operates in accordance with its individual Terms of Reference, which sets out its specific remit, membership, responsibilities and delegated authority. The Terms of Reference for each Committee are maintained separately and should be read in conjunction with this Scheme of Delegation.

All Committees are authorised to:

- Elect a Chairperson and appoint a Vice Chairperson from within the membership of that Committee
- Approve the Minutes of the last meeting of the Committee
- Spend money from budget headings under that Committee's remit up to the limit of the budget and/or named reserve
- Make recommendations on the budget requirement for the Committee for the coming Financial Year.
- Delegate any of their functions to a Sub Committee or Officer of the Council.