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# SCHEME OF DELEGATION

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Northstowe Town Council



MAY 11, 2022  
NORTHSTOWE TOWN COUNCIL  
VERSION 2.1

## **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 and Sub-committees of the Council to act with delegated authority in the specific circumstances detailed.**

### **1. Proper Officer and Responsible Financial Officer – Duties and Powers**

#### **1.1. Responsible Financial Officer**

The Town Clerk shall be the Responsible Financial Officer (Local Government Act 1972 S151) to the Council and shall be responsible for the Town Councils accounting procedures 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:

- 2.1.1.** Receive declarations of acceptance to office;
- 2.1.2.** Receive and record notices from Councillors disclosing interests;
- 2.1.3.** Receive and retain plans and documents;
- 2.1.4.** Sign Notices or other documents on behalf of the Council;
- 2.1.5.** Receive copies of By-laws made by the Unitary Council;
- 2.1.6.** Certify copies of By-laws made by the Council;
- 2.1.7.** Sign and issue summonses to attend meetings of the Council
- 2.1.8.** 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)
- 2.1.9.** Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy on that office

**2.2.** In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council;

- 2.2.1.** The day to day administration of services, together with routine inspection and control.
- 2.2.2.** Day to day supervision and control of all staff employed by the Council.
- 2.2.3.** Authorisation of routine expenditure within the agreed budget.
- 2.2.4.** Emergency expenditure up to £500 outside of 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.
- 2.4.** In the event of an emergency situation or other situation arising which is not covered by the Standing Orders, Financial Regulations and this Scheme of Delegation, and whereby the Council cannot lawfully meet, the Proper Officer & RFO will have delegated authority to discharge the Town Council's functions and make decisions on behalf of the Town Council where such a decision cannot be reasonably deferred or must be made in order to comply with commercial or statutory deadlines. This will be carried out, wherever possible, in consultation with the Mayor and the Deputy-Mayor; in the eventuality of the Mayor and Deputy-Mayor being unavailable (e.g. on holiday) then the Proper Officer & RFO may seek approval from another Councillor. This is subject always to the Proper officer & RFO being confident that the Members, in all probability, would have approved such action and / or expenditure if the facts had been brought to their attention before a commitment to action or to expend money had been made. Any decision made under this delegation must be recorded in writing by the Proper Officer & RFO and reported to the next convened meeting of Full Council. The delegation authority ceases upon the first meeting of the Full Council after the Council meeting at which the delegation was put in place.

### **3. Full Council**

- 3.1.** The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendation thereon for the Council's consideration.
- 3.1.1.** Setting the Precept;
  - 3.1.2.** Borrowing money;
  - 3.1.3.** Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation;
  - 3.1.4.** Making, amending or revoking By-laws;
  - 3.1.5.** Making of Orders under any Statutory powers;
  - 3.1.6.** Matters of principle or policy;
  - 3.1.7.** Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);
  - 3.1.8.** Any proposed new undertakings;
  - 3.1.9.** Prosecution or defence in a court of law;
  - 3.1.10.** Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;
  - 3.1.11.** Approving the annual return;
  - 3.1.12.** Confirming eligibility to exercise the General Power of Competence

#### **4. Standing Committees**

**4.1.** The Finance and Governance Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- All matters relating to Finance with the exception of those at paragraph 3.1.
- Partnership Working
- Grants and Donations
- To make recommendations to Council on the Budgets of all Standing Committees.
- General Administration
- Civic Activities/Local Democracy
- Any other matter which may be delegated to it by the Council from time to time.

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.

**4.2** The Planning Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- To comment on planning applications received from the Planning Authority.
- Street naming
- Licensing matters
- Any other matter which may be delegated to it from time to time.
- To comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate.
- To report to South Cambridgeshire District Council Enforcement any concerns relating to compliance of planning conditions.

**4.3** The Assets and Asset Transfer Committee shall be delegated to make decisions on behalf of the council in the following matters:

- To approve maintenance of the Councils assets, in line with the current budget.

- To consider any offers of transfer of assets to the Council, and then to report findings to Full Council.

4.4 The Personnel Committee shall be delegated to make decision on behalf of the council in the following matters:

- Grievances that cannot be dealt within the Personnel Committee will be transferred to the Grievance Committee, and Appeals Committee if required.
- Appraisal of the Town Clerk.
- Make recommendations on:
  - Salaries;
  - Conditions of Service;
  - Staff levels;
  - Consideration of staffing reviews.

4.5 The Grievance Committee is delegated to make decisions on the behalf of the Council in the following matters:

- Hearings for Grievance, Disciplinary and Capability matters in accordance with the Council's Grievance and Disciplinary Procedure.
- Dealing with any Grievance, Disciplinary and Capability matters to a final conclusion, only reporting to Council when the time for any Appeal has passed.

4.6 The Appeals committee is delegated to make decisions on the behalf of the Council in the following matters:

- Appeals against decisions made by the Personnel committee in Grievance, Disciplinary and Capability matters.
- Dealing with Appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.

**It is vital that the Personnel, Grievance and Appeals Committees keeps confidential its deliberations and decisions in cases of Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interest of fairness, be heard again by elected members with no prior knowledge of the case.**

- Seek grants and sponsorship and report findings to the Town Clerk to make the applications.
- Set up and review contracts relating to events and markets, and report findings to the Town Clerk to establish legalities.

4.7 The Events and Markets Committee is delegated to make decisions on behalf of the council in the following matters:

- Review proposals for the Council to lead on, collaborate, or support events from community groups and other stakeholders.
- Manage the organisation of Council-led events.
- Seek grants and sponsorship and report findings to the Town Clerk to make the applications.
- Set up and review contracts relating to events and markets, and report findings to the Town Clerk to establish legalities.

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

- The Committee's budget each financial year.
- Any funding required outside of, or above, the set budget in any given financial year
- Policy formulation/changes (e.g. policy for supporting community led-events)

### Document History

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