



Scheme of Delegation to Officers and Proper Officer Provisions

(Adopted Council 11th November 2014,
Updated September 2015 and September 2018)

DEFINITIONS

"Chief Officers" means the Town Clerk

"The Council" includes any Committee or officer of the Council acting within delegated powers and acting as agent for another body or person.

"The establishment" means the staff establishment of the Council for which funds have been provided in the estimates.

"The estimates" means the revenue estimates approved by the Council.

"Extension" includes alterations and any development within the curtilage.

"Facilities" mean facilities under the control of the Town Council.

"Function" includes any power or duty.

"Income of the Council" includes the Town Council precept and contractual and other payments due to the Council.

"Legislation" and "statute" includes subordinate legislation and "legislative" and "statutory" shall be construed accordingly.

"Proceedings" includes any tribunal, inquiry, arbitration or other legal or quasi legal proceedings.

"Staff" means all employees of the Council.

PREAMBLE

1. The delegations in this Scheme are subject to any limitations imposed by law, the budget and the Council's Standing Orders and Financial Regulations.
2. Any conditions expressed to be imposed upon the exercise of the delegated power shall be deemed to be directory only and not suspensive.
3. The inclusion of examples in the Scheme does not limit the generality of the wording to which the example relates.
4. The reference to a legislative provision extends to any amendment or re-enactment or consolidation of that provision.
5. In the exercise of any statutory function any words or phrases in the appropriate part of the Scheme which are defined in the relevant legislation shall bear the same definition as in that legislation.
6. Grant of a delegated power does not imply any budget provision for the exercise of that power or the consequences of such exercise.

7. The supply of any material, service, or facility may be subject to such charge as the Council may determine or, in the absence of such determination, as the relevant officer thinks fit.
8. In the scheme of delegation the post title referred to is the least senior member of staff who may exercise that delegated power. Every post holder more senior in the Council's staffing structure including the Town Clerk shall also enjoy the same power.
9. The Town Clerk may withdraw a delegated power from a post holder for such period of time as he/she considers appropriate.
10. As part of this Scheme, the Town Clerk is authorised to change the designations of an officer as and when appropriate without reference to the Council.
11. For the avoidance of doubt the Deputy Town Clerk shall be permitted to exercise the delegated authority of the Town Clerk when that person is absent.
12. The Interpretation Act 1978 shall apply to this scheme.

DELEGATIONS¹

1. Staffing Matters

FUNCTION	AUTHORISED OFFICERS
1. To appoint staff within the establishment (below the level of the Deputy Town Clerk and providing a budget is approved); to engage temporary staff as and when required within the estimates; to authorise overtime working for staff on salary spinal point 29 or below, within the estimates; and in consultation with the Town Clerk, to authorise planned overtime for staff above the overtime limit.	• Town Clerk
2. The approval of individual salary gradings within any job evaluation grading structure approved by the Council.	• Town Clerk
3. The approval of financial allowances to staff for travelling, subsistence, relocation expenses, telephone and car allowances including variations to local terms to reflect variation in national agreed schemes or in line with inflation	• Town Clerk
4. The granting of long service awards; the award of increments within salary grades and of honoraria in accordance with the criteria of the relevant conditions of service.	• Town Clerk
5. The exercise of disciplinary powers over staff, including power to immediately suspend, and to dismiss. (Note: Other disciplinary action can be taken by designated officers in accordance with the Council's agreed Disciplinary	• Town Clerk

¹ ORTTC = Officers reporting to the Town Clerk

Procedure.)

6. On the recommendation of an Occupational Health Officer/Doctor following a medical examination of the individual, to authorise the retirement of staff on the grounds of permanent ill health. • Town Clerk
7. In consultation with the Chairman and Vice Chairman of the relevant committee and/or Council and Unions, to make minor amendments for operational efficiency to the structure within services. • Town Clerk

2. Corporate and Miscellaneous

FUNCTION	AUTHORISED OFFICERS
1. To receive the nomination of the relevant Group Leader to fill vacancies arising on any body to which the political balance rules apply.	• Town Clerk
2. In consultation with the appropriate ward member, to submit comments and/or objections on planning and licensing matters in circumstances where such matters are likely to be determined, under delegated powers or otherwise, before a meeting of the Town Council can be held to consider the matter(s).	• ORTTC
3. To arrange all civic ceremonies and ancillary events in consultation with the Mayor and to permit the display of the Council's regalia on such occasions.	• ORTTC
4. To represent the authority at any conference meeting or inquiry to which the authority is invited unless the Council has indicated otherwise and to exercise any voting rights conferred by corporate membership of any body.	• ORTTC
5. To offer training to Councillors.	• Town Clerk
6. To appoint substitute Proper Officers as required so that in the case of an emergency the powers conferred on the Proper Officer can be exercised.	• Town Clerk
7. In the absence of the Town Clerk, to exercise any functions delegated to the Town Clerk.	• Deputy Town Clerk
8. To enter into contracts for the purchase and supply of goods and services for use in their respective services within the estimates.	• ORTTC
9. To hire plant from contractors and engage specialist sub-contractors.	• ORTTC

- 10. To sell surplus materials, vehicles, plant, equipment and goods, salvage scrap, and other waste. • ORTTC
- 11. To incur urgent expenditure in respect of any disaster within the Town Council's area until a meeting of the Council can be called, and to designate officers to carry out emergency functions. • ORTTC

3. Legal

FUNCTION	AUTHORISED OFFICERS
1. To instruct solicitors, Counsel or agents to act on behalf of the Council as required.	• Town Clerk
2. Subject to prior consultation with the Mayor and/or relevant Committee Chairman to take and defend proceedings in any court or tribunal.	• Town Clerk
3. Subject to prior consultation with the Mayor and/or relevant Committee Chairman (if available) to take all appropriate steps to secure the Council's legal position in cases of urgency with regard to its assets or in aid of its statutory functions.	• Town Clerk
4. To issue notices and conclude agreements necessary to protect the Council's assets or in aid of its statutory functions.	• Town Clerk
5. To conduct commercial rent reviews.	• Town Clerk
6. To authorise any member of staff to swear affidavits as to matters within their knowledge in any Court proceedings involving the Council.	• Town Clerk
7. To authorise a member of the Council's staff to appear on behalf of the authority before the Magistrates' Court.	• Town Clerk
8. To act as, or nominate a member of staff to act as, Data Protection Officer, including fixing and levying charges for the provision of information.	• Town Clerk

4. Financial

FUNCTION	AUTHORISED OFFICERS
1. To operate the Council's banking arrangements.	• Responsible Finance Officer ²

² The RFO may delegate their functions so as to ensure the efficient operation of the organisation e.g. payments systems by necessity must involve two or more officers.

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| 2. | To pay salaries and allowances. | • Responsible Finance Officer |
| 3. | To exercise (so far as may be lawful) the powers of the Council to borrow and invest; and to lend and to determine rates of interest and terms of repayment on such loans as may be required or prudent from time to time. | • Responsible Finance Officer |
| 4. | To pay all sums properly authorised as due. | • Responsible Finance Officer |
| 5. | To collect all income due to the Council, including appropriate interest and costs. | • Responsible Finance Officer |
| 6. | To submit appeals against valuations of Council property. | • Responsible Finance Officer |
| 7. | To determine rates of interest in respect of any sums due where such interest is properly chargeable. | • Responsible Finance Officer |
| 8. | To pay full compensation for loss where the Council is likely to be legally liable to pay compensation if sued (paid where possible by insurers). | • Town Clerk |
| 9. | To pay any proved out of pocket expenses of complainants where a complaint is upheld. | • Town Clerk |
| 10. | To make a compensatory payment of up to £200, or higher if sanctioned by the Finance and General Purposes Committee. | • Town Clerk |
| 11. | To write off debts of up to £500 where the sum is considered irrecoverable. | • Responsible Finance Officer |
| 12. | To provide banking facilities for Mayor's Charity Appeal (if any) and to pay the Mayor's annual allowance as may be determined from time to time but increased annually in line with inflation from the date of such last determination. | • Responsible Finance Officer |
| 13. | To manage project expenditure within a tolerance of 10% and to notify the relevant Committee if such tolerance is likely to be exceeded. Where necessary additional resources may be deployed or resources diverted within the project to ensure the success of the project. However, this must be within the overall tolerance. | • ORTTC |
| 14. | To manage expenditure and vire budgets within individual cost centres such that the overall cost centre budget is not exceeded. Where a cost centre budget is likely to be or has exceeded the budget then the officer shall notify the Chair of the relevant Committee and the Chair of Finance and Resources. | • Responsible Finance Officer |

Note: Where any urgent spending decision is thought necessary the officer concerned will consult with both the chair and vice chair of committee or in the case of Council with the Mayor and Leader and proceed if both agree the matter is of urgency. All members should be informed (Council or Committee as relevant) as soon after as practicable and in all cases the matter should be noted at the next relevant formal meeting.

5. Operational, Property and Technical/Engineering

FUNCTION	AUTHORISED OFFICERS
1. To place architectural, quantity surveying, civil engineering and other similar specialist work with outside agencies within the appropriate fee scale and the Council's relevant estimates, standing orders and financial regulations.	• Town Clerk
2. To appoint the Principal Contractor and Planning Supervisors for the purposes of the Construction (Design and Management) Regulations.	• Town Clerk
3. To make applications for all statutory consents necessitated by any approved Council proposal or development.	• Town Clerk
4. To engage valuers or selling agents on behalf of the Council.	• Town Clerk
5. To let and manage the commercial premises under the control of the Council, including the review of rents.	• Town Clerk
6. To requisition off site services in respect of any construction contract approved by the Council for which he acts as Architect or Contract Administrator.	• Town Clerk
7. Within the provisions of the capital and revenue estimates to incur expenditure to repair and maintain the buildings owned by the Council.	• Town Clerk
8. In consultation with the relevant Committee Chairman to refuse applications to purchase open space land from the Council.	• Town Clerk
9. To grant or refuse wayleaves and easements to utilities over, on or under the Council's land.	• Town Clerk
10. To exercise the powers under the Public Health Acts with regard to the adoption of footway lighting.	• Town Clerk
11. Subject to any necessary approvals, to erect or authorise street furniture, including barriers, bus stops, signs, etc.	• ORTTC
12. To let and manage pitches for promotional activities and commercial activities such as ice-cream sales.	• ORTTC
13. To manage Town Centre Operations and events held in the	• ORTTC

Town

7. Proper Officer

FUNCTION

**AUTHORISED
OFFICERS**

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| <p>1. Where a statute, regulation or order confers functions or duties on the "Proper Officer".</p> | <ul style="list-style-type: none">• Town Clerk |
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