

# **FARINGDON TOWN COUNCIL**

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Clerk: Sally Thurston



## **SCHEME OF DELEGATION**

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, Standing Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed.

### **1. Responsible Financial Officer**

The Responsible Financial Officer to the Council shall be responsible for the Town Council's 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:

- (1) To receive declarations of acceptance of office.
- (2) To receive and record notices disclosing personal and prejudicial interests.
- (3) To receive and retain plans and documents.
- (4) To sign notices or other documents on behalf of the Council.
- (5) To receive copies of by-laws made by the unitary authority.
- (6) To certify copies of by-laws made by the Council.
- (7) To sign summonses to attend meetings of the Council.

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

- (1) The day to day administration of services, together with routine inspection and control.
- (2) Day to day supervision and control of all staff employed by the Council.
- (3) Authorisation of routine expenditure within the agreed budget.
- (4) Emergency expenditure up to £1000 outside 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.

### **3. 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.

- (1) Setting the Precept;
- (2) Borrowing money;
- (3) Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- (4) Making, amending or revoking by-laws;
- (5) Making of orders under any statutory powers;
- (6) Matters of principle or policy.
- (7) Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings);
- (8) Any proposed new undertakings;
- (9) Prosecution or defence in a court of law;

- (10) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.

#### **4. Committees**

4.1 The following Committees are delegated responsibility to act as determined in their Terms of Reference that have been approved by resolution at a meeting of Full Council:

- Finance and Audit Committee
- Planning and Highways Committee
- Facilities Committee
- Community and Partnerships Committee

4.2 A committee shall refer any expenditure over £5,000 to full council

4.3 A Committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes.

4.4 Other standing committees may be formed by resolution of the Council at any time under standing order 4 and delegated powers may be decided upon at the time the committee is formed by means of a minute detailing the terms of reference.

#### **5. Sub Committees**

5.1 The Staffing Sub-Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- Hearings for grievance, disciplinary and capability matters for the Town Clerk and senior managers only in accordance with the Council's grievance and disciplinary procedure.
- Dealing with any grievance, disciplinary and capability matters for the Town Clerk and senior managers only to a conclusion, only reporting to Council when the time for any appeal has passed.
- Appraisal of the Town Clerk

5.2 Policy on the following matters is reserved to the Finance and Audit Committee for decision but the sub-committee may also make policy recommendations relating to:

- Salaries;
- Conditions of service;
- Staff levels;
- Consideration of staffing reviews.

5.3 Other standing sub-committees may be formed by resolution of the Council at any time under standing order 4 and delegated powers may be decided upon at the time the sub-committee is formed by means of a minute detailing the terms of reference.

#### **6. Working Groups/Parties**

Working groups/parties may be formed by resolution of the Council or a committee at any time. The work of such a working group/party will be decided upon at the time it is formed by means of a minute detailing the terms of reference. Each working group/party will report back with recommendations to the Council or the committee that formed it.

#### **7. Urgent Matters**

- (1) In the event of any matter arising which requires an urgent decision the Town Clerk shall consult the Mayor, Deputy Mayor, Chairman of the Finance and Audit Committee and Chairman of the committee relevant to the emergency and with the concurrence of those member(s) shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- (2) Before exercising the delegated powers granted by paragraph 7 (1) above, the Town Clerk and those members consulted shall consider whether the matter is of sufficient

interest to justify the summoning of a special meeting of the appropriate committee and where a meeting is so summoned the committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

- (3) Before exercising the delegated powers granted by paragraph 7 (1) above, the committee concerned shall consider whether the matter is of sufficient import to justify recommending to the Mayor that a special meeting of the Council should be called in accordance with Standing Order 6a.
- (4) Any action is taken under paragraph 7 must recorded in writing and made available for inspection by any member of the Council. Full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meetings of the Committee concerned and of the Council.

## **8. Delegation – Limitations**

Committees and sub-committees shall, at all times, act in accordance with the Council's standing orders, financial regulations and this scheme of delegation and, where applicable, any other rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.