



**KINGSWOOD
TOWN
COUNCIL**

SCHEME OF DELEGATED AUTHORITY

Adopted by Full Council on: 12th December 2023

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Author: Town Clerk

1.0 Scheme of Delegation

- 1.1 The scheme should be read in conjunction with the Council's Standing Orders, Financial Regulations, and other relevant documents.

2.0 Principles of Delegation

- 2.1 Section 101 of the Local Government Act 1972 provides:
- a. That a Council may delegate its powers (except those incapable of delegation) to a committee, or an officer.
 - b. A committee may delegate its powers to an officer.
 - c. The delegating body may exercise Powers that have been delegated.
- 2.2 This Scheme of Delegation authorises the Clerk / Proper Officer / Responsible Financial Officer and Committees of the Council to act with delegated authority in the specific circumstances detailed. Authority will be delegated to a committee when they are created and will be laid out in their Terms of Reference.

3.0 Town Clerk

- 3.1 There are certain matters undertaken by the Town Clerk which might be regarded as routine managerial issues by some people whilst others might regard them in a different way. The Town Clerk has the delegated authority to undertake the following matters on behalf of the Council related to the day-to-day administration of services, together with routine inspection and control.
- 3.2 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. All items that the Town Clerk acts upon under the delegated powers shall be reported to next appropriate Council meeting and recorded in the minutes.

Service Area Function

3.3 Administration:

- Agendas: To prepare and sign summonses to attend meetings of the Council.
- Documents To sign notices and other documents on behalf of the Council, and to receive and retain plans and documents.

3.4 Communication:

- Communications: To deal with press and public relations on behalf of the Council
- Freedom of Information: To have overall responsibility for the Council's Freedom of Information Publication Scheme
- Information and Communication Technology: To be responsible for the provision and management of information and communication technology provided throughout the Council.

3.5 Governance

- Councillors: To receive declarations of acceptance of office and to receive and record notices disclosing personal and prejudicial interests.
- Elections: To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with him or her regarding the conduct of elections

3.6 Finance / Insurance

- Audit: To maintain a continuous internal audit
- Banking: To administer the Council's bank balances and undertake movements between accounts in line with Financial Standing Orders.
- Bad Debts: To write-off outstanding debts in accordance with Financial Regulation
- Grants: To seek grants that aid the Council meeting its objectives.
- Insurance: To maintain adequate insurance cover for the Council's activities and property
- Payment Authorisation: On agreed expenditure items up to a limit of £500, in addition to all items approved by Full Council.
- Emergency expenditure: up to £2,500 in consultation and agreement with the Chair and Vice Chair of Council.
- Purchases: To purchase necessary goods and supplies to meet day to day operational requirements.

3.7 Others

- Emergency Planning: To lead the Council's response in the case of a major emergency in consultation with and/or under the direction of the local authorities' Emergency Planning Officers.

4.0 Full Council Responsibilities

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

- Setting the Precept;
- Borrowing money;
- Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- Matters of principle or policy.

- Nomination and appointment of representatives of the Council to any other authority, organisation or body.
- Any proposed new undertakings
- Prosecution or defence in a court of law;
- Ratifying the appointment of a town clerk
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.

5.0 Finance and Administration Committee Responsibilities

5.1 Authority for managing the following matters has been delegated to the above committee:

- Corporate governance
- Service delivery
- Risk management
- Internal control
- Structure
- Procedures
- Standards of conduct
- Community grant scheme.

6.0 Staffing Committee

6.1 Authority for managing the following matters has been delegated to the above committee:

- Organisation
- Employment
- Management
- Terms and conditions of employment

7.0 Urgent Matters

7.1 In the event of any matter arising which requires an urgent decision the Town Clerk shall consult the Chairman and Vice Chairman 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 under consideration.

7.2 Before exercising the delegated powers granted by paragraph 5 (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 Full Council or 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.

7.3 Any action that is taken must be 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 council.

This scheme of delegation will be regularly reviewed as the council creates committees, recruits additional staff, and takes on greater responsibilities.