



Midsomer Norton Town Council

Scheme of Delegation

ADOPTED: 4th November 2019

Minute Number: 79

Review: November 2020



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 £10,000 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

3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate committee(s) and working parties 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.
- Making, amending or revoking by-laws;
- Making of orders under any statutory powers;
- Matters of principle or policy.
- Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings);
- Any proposed new undertakings;
- Prosecution or defence in a court of law;
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the parish, excluding those matters specific to a committee;
- Delivery of the general direction of the Council
- Corporate management
- Democratic representation
- Equality and diversity issues

4. Committees

4.1 The Planning Committee shall consider and determine the following matters:

- To comment on planning applications received from the local planning authority
- Street naming (or to recommend to Council on new developments)
- Licensing matters
- Any other matter which may be delegated to it by the Council 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.

4.2 The Finance and Operations Committee shall consider and determine the following matters:

- Corporate management
- Democratic representation
- All matters relating to finance, including the approval of the year end accounts
- Financial Risk management
- Recommendations to Council on the budgets of all standing committees
- General administration
- Grants and Donations
- Procurement
- Asset Management – maintenance of the asset register



- Any other matter which may be delegated to it by the Council from time to time
- Council project priorities, having consulted the Finance Working Party
- Management of property portfolio
- Parks, open spaces & associated car parks
- Playing fields and amenity areas
- Play areas
- Sporting facilities
- Community engagement
- Partnership working
- Civic activities/local democracy
- Communications

4.3 There are no other standing committees but they may be formed by resolution of the Council at any time under SO 17 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.

5. Working Groups/Parties

5.1 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.

5.2 The following matters are reserved to the Council for decision but the Finance and Operations Committee may make recommendations:

- Setting the precept
- Decisions on borrowing

5.3 Personnel Working Party

The Personnel Working Party shall be delegated to make recommendations to the Council in the following matters:

- Salaries
- Conditions of service
- Staff levels
- Consideration of staffing reviews
- Hearings for grievance, disciplinary and capability matters for the Town Clerk and senior managers only in accordance with the Councils grievance and disciplinary procedure.
- Dealing with any grievance, disciplinary and capability matters for the Town Clerk and senior managers only to a final conclusion, only reporting to Council when the time for any appeal has passed.
- Appraisal of the Town Clerk;
- Welfare and training of Staff;

5.4 Allotment Working Party (under the auspices of the Operations Working Party)



The Allotment Working Party shall be delegated to make recommendations to the Council in the following matters:

- The management of the Council's allotments
- The provision of allotments
- The inclusiveness of the Council's provision
- The promotion of schemes that encourage healthy living through gardening related-activities

6. Urgent Matters

- (1) In the event of any matter arising which requires an urgent decision the Town Clerk shall consult at least two out of the Chair of the Council, Vice Chair of the Council the Chair of the Finance Working Party 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 6 (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 6 (1) above, the committee concerned shall consider whether the matter is of sufficient import to justify recommending to the Chair of the Council that a special meeting of the Council should be called in accordance with Standing Order 1.5.
- (4) Any action is taken under this Standing Order 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 Committee concerned and of the Council.

7. Delegation - Limitations

- 7.1 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.

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