

Waltham Abbey Town Council



Scheme of Delegation

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. Proper Officer

1.1 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.

1.2 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 £5,000 outside the agreed budget.

1.3 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. 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.

3. Council

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

- (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 **Policy & Resources Committee** shall consider and determine the following matters:

- Matters of Council administration and setting policy.
- Consideration of the Council's budget and recommendation of consolidated finance requirements
- Budgetary control
- Audit (Internal and External)
- Matters properly referred from other Committees within the requirements of Standing Orders
- Risk Management
- Strategic Plan
- Financial Grants
- Staff Establishment – to make recommendations and to receive reports by the Standing Establishment Review Sub-Committee.
- To approve the Five Year Strategic Plan and arrangements for its publication.
- To deal with any other relevant issues
- To maintain and operate the Council's properties and assets

4.2 The **Leisure & Communities Committee** shall consider and determine the following matters:

- To maintain all recreation grounds, parks and public open spaces and to initiate and supervise all matters of control properly associated with this recreation function.
- To operate and maintain the cemeteries, burial responsibilities and associated duties, consequential to Statutory or Council requirements, together with the War Memorial
- To maintain and supervise the Council's allotments.
- To maintain and supervise all sports activities upon any recreation ground or other recreational open space and building erected for such purposes thereon.
- To deal with all other matters relating to amenities and the environment, including horticulture (trees, bulbs, flowers, shrubs etc).
- To maintain and supervise the organisation of the Charter Market (Tuesday) and the additional authorised market (Saturday)
- To maintain the public conveniences
- To operate the Tourist Information Centre, and to encourage tourism in the town through events
- To manage the production of the quarterly newsletter: the Town Crier
- To work in partnership with other community groups, eg the Waltham Abbey Town Twinning Association and the Waltham Abbey Town Partnership

4.3 The **Development & Environment Committee** shall consider and determine the following matters:

- To comment on planning applications received from the local planning authority
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
- To comment to other authorities on public transport, parking and regeneration issues
- To comment on and liaise with the Highways authorities
- To manage the street cleaning facility
- To comment and where appropriate, work on public footpaths and bridleways

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

5. Sub Committees

5.1 The **Establishment Review 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 only in accordance with the Councils grievance and disciplinary procedure.
- Dealing with any grievance, disciplinary and capability matters for the Town Clerk only to a final conclusion, only reporting to Council when the time for any appeal has passed.
- Appeals against decisions made by or on behalf of the Town Clerk in grievance, disciplinary and capability matters
- Appraisal of the Town Clerk, senior managers and other members of staff
- Policy on the following matters is reserved to the Policy & Resources Committee for decision but the sub-committee may also make policy recommendations relating to:
 - Salaries;
 - Conditions of service;
 - Staff levels;
 - Consideration of staffing reviews

5.2 In order to ensure as far as possible that such matters as appraisal, grievance, disciplinary and capability issues are dealt with professionally and in accordance with employment legislation, support and advice will be obtained from the appropriate contracted service provider.

5.3 Other standing sub-committees may be formed by resolution of the Council at any time under SO 18 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

6.1 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.

7. Urgent Matters

- (1) In the event of any matter arising which requires an urgent decision the Town Clerk shall consult the Leader of Council, Deputy Leader, Mayor, Chairman and Vice Chairman of the Policy & Resources Committee 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) 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.

8. Delegation - Limitations

8.1 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.