

SPENNYMOOR TOWN COUNCIL



SCHEME OF DELEGATION

Author of Policy:	Town Clerk
Date Effective From:	24 May 2021
Policy Review: When & By Whom	24 May 2021 Annual Meeting
Next Review:	May 2022
Version Control:	V5

In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's Website www.spennymoor-tc.gov.uk and copies of this document will be available for inspection on deposit in the Council Offices, Town Hall, Spennymoor. Costs are as per the model publication scheme.

Responsibilities Delegated To The Town Clerk

1. Proper Officer

The Town Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

2. Responsible Finance Officer

The Town Clerk is designated and authorised to act as the Responsible Finance Officer for the purposes of s151 of the Local Government Act 1972 and any statute requiring the designation of a responsible Financial Officer.

3. General Matters

The Town Clerk is authorised to:

- a) sign and serve on Councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 working days before the meeting;
- b) give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub- committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
- c) sign on behalf of the Council any document necessary to give effect to any decision of the Council;
- d) take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council;

- e) institute and appear in any legal proceedings authorised by the Council;
- f) appear at or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the residents of Spennymoor);
- g) alter the date or time of a committee meeting but, before doing so, shall consult the chairman and vice-chairman of the committee concerned about convenient alternative dates and times;
- h) decide arrangements for the closure of the Council offices, subject to consultation with the Chairman/Mayor of the Council.
- i) negotiate and enter into contractual arrangements for artistes and promoters in relation to events held and programmes of entertainment,
- j) manage all Council services, and make operational decisions regarding these services;
- k) act as the Council's designated officer for the purposes of the Freedom of Information Act 2000 and conduct internal reviews of Freedom of Information requests responded to by the Senior Management team.

4. Financial Matters

The Town Clerk is authorised to:

- a) incur expenditure up to a maximum of £2500 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Financial Regulations and Standing Orders in relation to Contracts.
- b) accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
 - The cost not exceeding the amount of the approved estimate;

- The tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation; and,
 - All the requirements of the Council's Financial Regulations being complied with.
- c) compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
- d) invest monies held by the Council in accordance with the Council's Treasury Management Policy.

5. Cemetery matters

The Town Clerk is given delegated powers to carry out all duties appertaining to burial, including:

- a) Authorising grants of grave spaces in accordance with the cemetery regulations
- b) Authorising the erection of memorials / headstone in accordance with memorial regulations

6. Staffing Matters

The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures, and budget, as set out within their employment contract.

Including:

- a) appointment to posts as per the Standing Orders;
- b) the employment of temporary employees;
- c) control of staff performance and discipline, in line with the Council's policy and procedures, including the power of suspension and dismissal;

- d) payment of expenses and allowances in accordance with the Council's scheme;
- e) approval of increments, in line with negotiated payments/contracts;
- f) supervision and line management all other employees of the Council as head of the paid service, or to delegate management responsibility to appropriate managers;
- g) scheduling of staff training;
- h) arrangement and authorization of reasonable overtime as required; and,
- i) arrangement and authorization of annual leave entitlement and other absence as appropriate.

7. Property Matters

The Town Clerk is authorised to:

- a) manage all land and property of the Council
- b) agree the terms of any hire, lease, license, conveyance or transfer of all Council owned properties and land;
- c) agree the granting or refusal of the Council's consent under the terms of all leases;
- d) agree all variations of all restrictive covenants;

agree the granting of easements, wayleaves and licenses over Council land; and,
- e) Initiate all legal action or proceedings against unauthorized encampments on Council land.

8. Delegation

The Town Clerk is authorised to delegate any of the powers outlined within this scheme of delegation to other managers or officers of the Council as required. Overall responsibility and accountability for the use of these powers remains with the Town Clerk.

9. Urgency

- a) The Town Clerk is authorised to act on behalf of the Council in cases of urgency or emergency.
- b) The Lead Member(s) for the relevant service area(s) should be consulted wherever possible, before such action is taken. The Chairman/Mayor will then liaise with the Spokesperson and Chairpersons of any relevant committee.
- c) Any such action is to be reported to the next meeting of the Council or relevant committee or subcommittee for information.