



Cullompton Town Council Draft Scheme of Delegation

Adopted at Full Council on 29.09.2022, minute reference 637

This Scheme will be reviewed annually by Full Council, or when there are changes to legislation, whichever is the sooner.

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees (and Subcommittees if relevant) of Cullompton Town Council (the Council) to act with delegated authority in specific circumstances.

1. Proper Officer and Responsible Financial Officer - duties and powers

1.2 Responsible Financial Officer

The Town Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Town Councils accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time (including Financial Regulations).

2. Proper Officer

- 2.1 The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:
- receive declarations of acceptance of office;
 - receive and record notices from Councillors disclosing interests;
 - receive and retain plans and documents;
 - sign Notices or other documents on behalf of the Council;
 - receive copies of By-laws and other statutory provisions made by Devon Council;
 - certify copies of By-laws made by the Council;
 - sign and issue summonses to attend meetings of the Council;
 - sign binding contracts on behalf of the Council in accordance with the Standing Orders;
 - give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
 - convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office;
- 2.2 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:
- the day-to-day administration of Council services, together with routine inspection and control;
 - day to day supervision and control of all staff employed by the Council;
 - authorisation of routine expenditure within the agreed budget;

- emergency expenditure up to £1,000 outside of the agreed budget as per Council's Financial Regulations in consultation with the Chairman and Vice chairman of Council or the Chairman/Vice Chairman of the appropriate Committee if the Council Chairman/Vice Chairman is unavailable;
- authorise the making of payments on behalf of Council in line with the Council's Financial Regulations;
- authorise the procurement of services and enter into contracts for the execution of works or supply of equipment as authorised by Council or its Committees and in line with Council's Financial Regulations;
- undertake the Annual Accounting Governance and Statement process with the internal and external auditor and Council;
- as Council's Health and Safety named representative take such action as is necessary to ensure the safety and security of Council's properties and those who use them, and
- to take such action as is necessary to fulfil their duties, as governed by Council's Standing Orders.
- Planning matters as per the specific detail at point 5 below.

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.

2.4 In the absence of the Town Clerk/RFO, these duties shall be delegated to the Deputy Clerk.

3. Town Council

3.1 The following matters are reserved to **Full Council** for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration:

- setting the precept;
- approving the annual budget;
- borrowing money;
- power of incurring capital expenditure not specifically included in the Council's approved estimate of expenditure for the current budget;
- making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation including to delegate to the committee powers and duties in accordance with their approved Terms of Reference or to Officers.;
- making, amending or revoking by-laws;
- making of Orders under any statutory powers;
- decide 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;
- the appointment of the Town Mayor;
- prosecution or defence in a court of law;
- nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town of Cullompton, excluding those matters specific to a committee;
- approving the annual return;
- review and confirm Council's eligibility to exercise the General Power of Competence (every three years or as required due to councillor and/or Clerk changes);
- to set dates of meetings of the Council and its Committees;
- to oversee the conduct of the Council and the Committees endeavouring to act in the best interests of all residents;

- receipt of reports to the Council from various Committees, Sub-Committees and Working Parties;
- to authorise the sealing of various documents with the Common Seal;
- consideration of new and reviews of consultation and policy documents of other bodies and any other consultation documents not appropriate for delegating to Committees;
- the appointment and dismissal of the Town Clerk/RFO role;
- any other matters not delegated to a Committee, Sub-Committee or Project Steering Group or Working Party or referred to the Council by a Committee, Sub-Committee, or Project Steering Group or Working Party;
- Matters of strategic growth within the town; and
- Disposal of assets with a value of over £500.00 and all interests in land.

4. Standing Committees

Cullompton Town Council has appointed a number of Committees to undertake work for and on behalf of Council. The specific responsibilities of each Committee are confirmed by Terms of Reference appended to this Scheme and confirms membership and number of seats, frequency of meetings, remit of each Committee and reporting structure, and delegated authority.

All Committees are subject to the following principles:

- delegated powers are exercised in accordance with any policy or direction given by Council;
- delegated powers are subject to the Council's Standing Orders and Financial Regulations;
- any unresolved differences between Committees shall be referred to Full Council for determination;
- Committees will refer to Council any matters being pursued by other local authority/statutory/voluntary or other bodies which have a beneficial or detrimental effect on the area of Cullompton

The Committees of Cullompton Town Council are

- Services, Property and Outdoor Spaces
- Community, Economy and Tourism
- Governance, Finance and Resources
- Appeals
- Planning, Licensing and Strategic Growth