

Scheme of Delegation Policy Document

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), and Committees to act with delegated authority (powers) in the specific circumstances detailed.

Section 1 Responsibilities delegated to Town Clerk and Council Officers

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. This may include signing leases, licences and Service Level Agreements on behalf of the Town Council.

2 Responsible Financial Officer

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

3 Clerk to the Council

The Town Clerk is employed by the Council under section 112 of the Local Government Act 1972 for the proper discharge of its functions.

4 Committee Clerk

Any Officer other than the Proper Officer, facilitating or offering administrative support to a meeting of the Council or Committee shall be known as the Committee Clerk

5 General Matters

The Town Clerk is specifically authorised to:-

- 5.1 sign on behalf of the Council any document necessary to give effect to any decision of the Council,
- 5.2 day to day administration of services,
- 5.3 take proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council,
- 5.4 to institute and appear in any legal proceedings authorised by the Council,
- 5.5 appear or make presentation to any tribunal or public enquiry into any matter which the Council has an interest,
- 5.6 (i) compile the Agenda for Full Council and Committee meetings and to sign the summons to attend meetings of the Council,

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- (ii) alter the date time of a Committee meeting, but before doing so, shall consult the Chairman of the Committee concerned about the need for the change and about alternative dates and times,
- 5.7 decide arrangement for the closure of the Council Offices in the Christmas/New Year period, subject to consultation with the Chairman.
- 5.8 manage the Council's allotments/car park, or delegate to the appropriate Officer
- 5.9 act as the Council's Designated Officer for the purpose of the Freedom of Information Act 2000,
- 5.10 carry out the wishes of any Council, Committee or Sub-Committee decision,
- 5.11 respond immediately to any correspondence, requiring or requesting information, or relating to previous decisions of the Council, but not Correspondence requiring a decision to be taken by Council or its Committees.

6 Financial Matters

The Town Clerk is authorised as follows:-

- 6.1 The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is in such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £250.00, (as set out in Financial Regulation 3.4). The Clerk shall report the action to the Council as soon as practicable thereafter. If the expenditure has not been specifically budgeted for the RFO will vire the sum from the contingency budget.
- 6.2 To carry out duties in line with job description of RFO.
- 6.3 To carry out duties in accordance with the Financial Regulations of the Council, and Audit and Accounting Regulations.
- 6.4 Delegated actions of the Clerk to the Council should be in accordance with Standing Orders, Financial Regulations, and this Scheme of Delegation and in line with instruction given by the Council when appropriate.

7 Staffing Matters

The Town Clerk is given delegated powers to act as line manager to all the Council staff in accordance with the Council's policies, procedures and budget, including :-

- 7.1 The paying of employees their salaries and wages at the rates agreed by the Council.
- 7.2 The control of staff performance and discipline.
- 7.3 Payment of expenses and allowances in accordance with the Council's scheme.
- 7.4 To arrange staff training when required.

8 Property Matters

- 8.1 Accepting bookings and hiring's of Gazebos and facilities operated by the Council.
- 8.2 To liaise with Contractors for repairs and maintenance.

9 Urgent Matters

The Town Clerk is authorised to act on behalf of the Council in cases of urgency or emergency. The Clerk shall forthwith consult with the Chair and Vice-Chair of Council, or Chair of the appropriate Committee. Any such action is to be reported to the Council, or relevant Committee or Sub-Committee, (ref: standing order 13 & 14)

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10 Council

The following matters are reserved to the Council for decision.

- 10.1 Setting the precept
- 10.2 Borrowing money
- 10.3 Approval of the Council's Annual Accounts and completion of the Annual Return
- 10.4 Making, amending and revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- 10.5 Making, amending or revoking By Laws
- 10.6 Making of Orders under any statutory powers
- 10.7 Matters of principle or policy
- 10.8 Nomination and appointment of Representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings)
- 10.9 Any proposed new undertakings
- 10.10 Prosecution or defence in a court of law
- 10.11 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a Committee
- 10.12 Approval of Minutes

Section 2 Formation of Committees:

Councils are governed by statutes of Parliament, unless section 101 of the Local Government Act 1972 is exercised: This allows Councils to discharge their functions to:

- A committee or sub-committee
- An officer
- Another local authority

Functions may be discharged to a committee but not individual councillors including the Chair of Council or Chair of a Committee. When delegating functions to a committee, it is essential that its appointment and its terms of reference are approved by a formal resolution of the Full Council.

To be effective, committees must have clear 'Terms of Reference' to work, defining membership, remit and responsibilities, effective administrative support from an Officer, and effective Chairmanship, to ensure effective delivery against the terms of reference.

The appointment of a committee can be done at any time; the Annual meeting of the Council which is held in May is a good opportunity to review existing committees and the need for new Committees.

When establishing a committee its terms of reference should specify whether the committee has delegated powers to act directly or whether any or all of its decisions must be referred back to Full Council for ratification.

Functions delegated to Town Council Committees (Terms of Reference)

Membership shall comprise of 7 members including Chair and Vice-Chair of Council as ex-officio members of all committees with voting rights

Membership of the Asset Management Committee shall comprise of Chairs of Committees plus one member from each committee, Chair and Vice-Chair of Council as ex-officio members with voting rights

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1 ENVIRONMENT & PLANNING COMMITTEE

It has delegation from Full Council to undertake its remit as follows:

Approval of its minutes as a true and correct record

Approval of expenditure on items included in the approved budget up to and not beyond the amount specified in the budget where not delegated to Officers

PLANNING AND LICENSING APPLICATIONS – all applications relating to Watchet are reviewed by this committee, acting as statutory consultees for Somerset West & Taunton (the Planning Authority).

DOG BINS/GRIT BINS - Although Somerset West & Taunton Council maintain many of the bins in Watchet, Watchet Town Council were lobbied to obtain several more to ensure the cleanliness and safety of public areas.

STREET LIGHTING - The Council maintain 44 streetlights within Watchet and throughout the Liddymore Estate

SIGNAGE, PARKING AND ROAD MARKINGS - Liaising with other agencies such as SCC Highways to address concerns over signage, parking and road markings throughout the town.

CLIMATE CHANGE – to instigate projects in line with the declared 'Climate Emergency' and support local initiatives

To provide comments on behalf of the Council on:

- (i) Local Development Framework Plans
- (ii) Structure Plans
- (iii) Minerals and Waste Plans
- (iv) Parking Strategies – or any other Plans or Studies that are considered appropriate

To provide comments on behalf of the Council in response to any consultations in relation to:

- (i) Footpath Diversions
- (ii) Road Closures
- (iii) Traffic Orders – depending on deadlines

To monitor regularly the committees' budget and spend

FINANCE & STAFFING COMMITTEE

It has delegation from Full Council to undertake its remit as follows:

Approval of its minutes as a true and correct record

Approval of expenditure on items included in the approved budget up to and not beyond the amount specified in the budget where not delegated to officers

ANNUAL BUDGETS - This committee oversees the annual budget setting and precept for the following financial year and recommends to Full Council for approval, to monitor regularly the running costs budget and spend

GRANTS AND DONATIONS – To review and approve applications for Grants and donations made by organisations relating to the town

INSURANCE- review of annual premium

ADMINISTERS SERVICE LEVEL AGREEMENT (SLA) – Citizen Advice WS

STAFFING ISSUES – To include:

Staff development, salaries, pay increases and training of staff within the Town Council is administered through this committee.

Software Licences for office use

The Personnel Committee is appointed through this committee and makes recommendations to the Committee for Staff Performance Appraisals and deals with the appointment of staff, staff works rotas, the review of a job description and specification and contracts when appropriate.

To monitor regularly the committees' budget and spend

3. RECREATION & TOURISM COMMITTEE

It has delegation from Full Council to undertake its remit as follows:

- Approval of its minutes as a true and correct record
- Approval of expenditure on items included in the approved budget up to and not beyond the amount specified in the budget where not delegated to officers

PLAY AREAS – to include all play areas relating to the **Memorial Ground, Henry Davey and Liddymore Estate, including the Skate Park** (maintenance, repair, replacement, and annual inspections of equipment)

- Provision of flowers in municipal areas throughout the town

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- Managing bookings on the Esplanade for community organisations under the management agreement with SW&T Council as landowners.
 - Managing policy decisions in relation to the Watchet Town Council website
- WATCHET MARKET** – to support the Market Administrator in the operation and oversee the management

3. **ASSET MANAGEMENT COMMITTEE**

It has delegation from Full Council to undertake its remit as follows:

Approval of its minutes as a true and correct record

Approval of expenditure on items included in the approved budget up to and not beyond the amount specified in the budget where not delegated to officers

WEST STREET CAR PARK – To include:

- To review the Car Park operation, User Policy, and Car parking rental charge (when appropriate)
- To review any maintenance concerns or disputes raised by the Committee Clerk

ALLOTMENTS - To review the Tenancy Agreements and rental charges (when appropriate)

CEMETERY (including the closed churchyard of St Decumans and cemetery toilet) – To include:

- Reviewing the Cemetery Burial Regulations Policy and the review of burial charges (when appropriate)
- Reviewing the operation and ongoing maintenance (including Headstone Audit) of the site

HENRY DAVEY Changing Room Facility – to include:

- Repairs, maintenance and refurbishment of the building
- Review of rental agreement with Football Club (when appropriate)
- Review of Booking Policy for other users

MUGA (Multi Use Games Area) – to include:

- Dealing with all areas relating to the Multi-Use-Games-Area (MUGA) including maintenance including floodlights
- including review of rental charges and the Hire policy when appropriate. – **NEW**

WATCHET COMMUNITY CENTRE - To include:

- Reviewing the operation and ongoing maintenance of the building
- Liaise with the appropriate outside organisations in relation to Youth Service Provision
- Management of Bookings- only if advice is needed on a contentious or sensitive issue, otherwise, this falls within the delegation of the Committee Clerk

WAR MEMORIAL – To include:

- Liaise with outside organisations regarding Remembrance and other services
- Maintenance of memorial including cleaning and keeping site tidy
- Policy decisions on name additions in liaison with the archivist

WATCHET LIBRARY – To include:

- Reviewing the operation and ongoing maintenance of the building
- Liaise with the appropriate outside organisations in relation to the building in accordance with the Community Library Partnership Agreement
- Management of Bookings outside normal Library hours-otherwise, this falls within the delegation of the Committee Clerk

COUNCIL OFFICES & SHARED VISITOR CENTRE SPACE- To include:

- Review of ongoing maintenance / operation of the building

HARBOUR ROAD PUBLIC TOILETS – To include:

Review the operation and ongoing maintenance of the building

REVIEW APPROVED BY FULL COUNCIL at the meeting held on 16 May 2022