

	<b>RUGELEY TOWN COUNCIL</b>	
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## **Scheme of Delegation**

Adopted May 2022

<b>Date created</b>	<b>Date adopted</b>	<b>Date last reviewed</b>	<b>Next review date</b>
April 2022	4 <sup>th</sup> May 2022		

## 1. **Scheme of Delegation**

- 1.1 In accordance with the powers conferred upon it by s101 (1), (5) and (6) of the Local Government Act 1972, Rugeley Town Council has arranged for certain functions to be discharged by its committees, the Town Clerk and the Responsible Financial Officer.
- 1.2 This Scheme of Delegation authorises the Proper Officer of Rugeley Town Council (the Town Clerk), the Responsible Financial Officer (RFO) and Standing Committees to act with delegated authority in the specific circumstances detailed. It will be reviewed annually at the Annual Town Council Meeting.

## 2. **Matters Reserved to the Full Council**

- 2.1 The following matters are reserved matters for the Council to decide, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration:
- Setting the Town Precept and adopting the Budget
  - Borrowing money.
  - Approval of the Council's Annual Accounts and the Annual Return.
  - 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.
  - Approval and adoption of matters of principle or policy, including Strategy and Action Plan
  - The appointment of the Town Clerk
  - Nomination and appointment of representatives of the Council to any other authority, organisation or outside body (excluding conferences, events or meetings)
  - Noting all the minutes approved by the Committees
  - Approval of application of the Local Council Award Scheme
  - Any proposed undertakings committing council expenditure above £10,000
  - Responses to legislative and other allied consultations excluding those dealt with by the Planning Committee
  - Prosecution or defence on a Court of Law other than Employment Tribunal
  - Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a Committee.
  - Decisions to adopt the General Power of Competence.
  - The adoption of a Neighbourhood Plan.

## 3. **Responsible Financial Officer**

- 3.1 The Responsible Financial Officer (RFO) shall be responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

#### 4. **Proper Officer**

4.1 The Town Clerk shall be the Proper Office of the Council and as such shall be specifically authorised to:

- Receive declarations of acceptance of office.
- Receive Members' Registers of Interest.
- Receive and record notices disclosing personal and prejudicial interests.
- Receive and retain plans and documents.
- Sign notices or other documents on behalf of the Council.
- Receive copies of By-laws made by a Principal local authority.
- Certify copies of By-laws made by the Town Council.
- Prepare agendas, consulting with Chairman of Council or Committee (as appropriate) wherever possible before distribution.
- Sign summons to attend meetings of the Council.

4.2 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services, together with routine inspection and control.
- Day to day supervision and control of any staff employed by the Council including agency.
- Authorisation of routine recurring expenditure within the agreed budget
- Authorisation of expenditure on emergency works up to a maximum of £500 within the agreed budget
- Respond to requests made under the Freedom of Information/Environmental Information Regulations legislation.
- Arrange and call all meetings of the Council and its Committees
- Authorisation to call extra meetings of any Committee as necessary, having consulted with the Chairman of the Council and/or the Chairman of the appropriate Committee.
- Authorisation to respond to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees.
- Communication with media.
- Administration of website and Facebook

4.3 Delegated actions of the Proper Officer shall be in accordance with Standing Orders, Financial Regulations, and this Scheme of Delegation and in line with directions given by the Council from time to time.

#### 5. **Position of Chair of the Council**

5.1 The Council will appoint a Chair at the Annual Meeting of the Council. Since no individual member may act alone in an executive capacity, the Town Clerk

is delegated and directed to work with the Chair to undertake overall management of the business of the council. This includes:

- Day to day decisions on the implementation of Council policy
- Overseeing work to implement the Council Strategy and Action Plan
- Managing urgent business

**6. Urgent Matters**

6.1 In the event of any matter arising which requires an urgent decision, the Town Clerk shall consult with the Chair and other relevant Committee Chairs and/or Vice Chairs before acting on behalf of the Council.

6.2 Before the Town Clerk exercises the delegated powers granted by paragraph 6.1, those members consulted shall consider whether the matter justifies summoning an extra-ordinary meeting of the Full Council or appropriate Committee.

6.3 Whenever any action is taken in this way, full details of the circumstances justifying urgent action shall be submitted in writing to the next available meeting of the Council and / or Committee.

**7. Attendance of Members at Committee Meetings**

7.1 All Councillors have an absolute right to attend any Committee meeting. The Chair of the Committee has at their discretion, the right to allow a non member to speak on a matter under discussion at a committee.