

Introduction

This report reviews the way Wem Town Council has delegated its powers and responsibilities.

This document is one of the three major ways in which the Council regulates its affairs; the others are its Standing Orders and Financial Regulations.

The power to delegate functions is set out in the Local Government Act 1972, s.101. The intention of the delegation scheme is to allow the Council to act with all reasonable speed. Decisions should be taken at the most suitable level.

This Scheme of Delegation sets out how the Council delegates some of its powers and duties to Officers of the Council. These delegations are necessary for the effective day to day running of the Council and to prevent every decision having to come to a Council meeting for agreement. This Scheme of Delegation will be reviewed by Council annually alongside the review of Standing Orders and Financial Regulations.

This scheme does not delegate to Officers any matter that is reserved by law to the Council or may not be delegated to an Officer.

Whilst delegation is necessary, it is important that members and the press and public should have the fullest information.

The Town Clerk shall exercise these powers in accordance with:

- Approved budgets
- Council's Standing Orders & Financial Regulations
- Council's Policies
- All statutory common law and contractual requirements

The Scheme places an obligation on Officers to keep Members of the Council properly informed of any action arising under these delegations and to record decisions.

Town Clerk's Existing Scheme of Delegation

Please note all delegated powers relating to Covid have now been removed following the lifting of restrictions.

The Town Clerk has delegated powers to undertake the following :

- To undertake all duties of the Proper Officer of the Council and Responsible Financial Officer.
- To undertake day to day management of the Council's resources.
- To issue orders to staff and issue warnings to staff.
- ~~To place orders for goods or services if they are budgeted for and conform to the Council's Financial Regulations and powers.~~
- To place orders for maintenance requests with companies contracted to provide maintenance services to the Council e.g. Streetlighting, CCTV, Toilets subject to budget code limits.
- To place orders for goods and services below £500 in the administration and staffing budget codes provided that it is within budget and reported to the next full council meeting (financial regulation 4.1).
- To take decisions on the enforcement of Council's rules and regulations.

- To take decisions required under legislation, e.g. Freedom of Information Act, Data Protection Act, Health & Safety Acts, Occupier's Liability Acts, etc., which must be made within a time scale that does not allow for the calling of a meeting.
- To order cheque books, bank statements and other such material on behalf of the council.
- To authorise employee overtime subject to provision in the misc. staffing budget.
- To authorise the transfer of funds between the Council's accounts subject to the limitations as set out in the financial regulations. To authorise the payment of salaries and wages from the payroll account. To authorise the payment of goods and services.

Local Connection Verification (agreed 25.7.19)

- To delegate authority to the Town Clerk and Verification Committee Chairman to determine single local connection applications.

Emergency Delegation

- In discussion with the Mayor, Deputy Mayor, immediate past Mayor and if appropriate Committee Chairman to incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of 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 £5,000.
- The Clerk shall report the action to full council or the appropriate committee as soon as practicable thereafter.
- To implement the Council's Emergency and Business Continuity Plans and to incur any necessary expenditure in accordance with the Council's Standing Orders and Financial Regulations.
- To take appropriate actions arising from emergencies (including national emergencies arising for example from the outbreak of a pandemic or civil unrest) in consultation with the Mayor, Deputy Mayor and Chairman of Finance and Corporate Governance Committee as appropriate to the circumstances.

Items in red are changes/additions from previous delegated authority.