



CHILTON TOWN COUNCIL

Scheme of Delegation

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This Scheme of Delegation authorises the Town Clerk, who is the Council's Proper Officer and Responsible Financial Officer, Standing Committees and Sub- committees of the Council to act with delegated authority in the specific circumstances detailed herein.

1. Proper Officer and Responsible Financial Officer - Duties and Powers

1.1 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.

1.2 Proper Officer

The Town Clerk shall be the Proper Officer of the Council and as such is specifically legally 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 made by the Unitary Council;
- Certify copies of By-laws made by the Council;
- Sign and issue summonses to attend meetings of the Council.
- 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 in accordance with Standing Orders)
- Convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in that office.

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 services, together with routine inspection and control.
- Day to day supervision and control of all staff employed or engaged by the Council.
- Authorisation of routine expenditure within the agreed budget.

Delegated decisions and 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.

1. Delegated Powers re Planning

Planning applications shall be received by the Clerk who will provide details to all Councillors. Where no queries arise, the Clerk shall be delegated to inform the Planning Department within the time allocated. All Councillors will report directly back to the Clerk thereby avoiding discussion between members to prevent issues arising around pre-determination. Where queries arise the Chair of the Policy and Resources and Planning Committee will call for the matter to be placed on the agenda of the next meeting or if they deem appropriate request a site meeting adhering strictly to legal procedures set by NALC and the Town Clerk will advise the Planning Authority that Chilton Town Council require time to consider this application.

2. Council

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

- Setting the Precept;
- Borrowing money;
- 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;
- 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;
- Prosecution or defence in a court of law;
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;
- Approving the Annual Return;
- Confirming eligibility to exercise the General Power of Competence

3. Chilton Miners Welfare Charitable Trust

The Town Council is the sole Trustee of the Chilton Miner's Welfare Trust Charity. As sole Trustee, the Council delegates authority to the Chilton Miner's Welfare Trustee Meeting on all matters pertaining to the Trust, including financial matters.

4. Standing Committees

All committees should conduct their business taking into consideration environmental issues and sustainability.

All Committees will be quorate with three Members.

The **Financial, Audit, Risk and Health and Safety Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- All matters relating to Finance with the exception of those set out at paragraph 3.1 reserved by law for consideration by the full Council.
- Community Safety
- Maintenance, health and safety and repair of all buildings and assets owned by and/or are the responsibility of the Council
- Any other matter which may be delegated to it by the Council from time to time.

Delegation for spending- It is authorised to spend up to £1000 on funding pre-authorised in the budget. It cannot spend more than £500 on a single item nor can it spend any money not budgeted for or a spend which would take the committee over budget.

The **HR Committee comprising of 4 Members of the Council** shall be delegated to make decisions on behalf of the Council in the following matters:

Statutory and legal obligations relating to Human Resources (HR);

- Standardisation of structure, policy and process and by establishing protocols and procedures to create strong working relationships within the Council.
- To oversee staff recruitment, selection and appointment of the Town Clerk and other staff within the Council staffing structure
- Salaries; Conditions of Service; Staff levels; Staff performance including reviews appraisals, sickness absence management
- All matters relating to Staff, based on recommendations made. This Committee may decide that it wishes to refer such matters to the Council for final decision, subject to the matters reserved to the Council for legal reasons.

The **Human Resources Appeals Committee**, comprising of four Councillors who are not on the HR Committee, is delegated to make decisions on the behalf of the Council in the following matters:

- Appeals against decisions made by the Human Resources Committee in conflict Resolution, Grievance, Disciplinary and Capability matters.
- Dealing with Appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.
- In order to ensure as far as possible that such matters as Appraisal, Conflict Resolution Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all members of the Appeals Committee must agree to undertake training in these matters.

It is vital that the Human Resources Committee and Appeals sub-committee keeps confidential its deliberations and decisions in cases of Conflict Resolution, Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case.

In order to ensure as far as possible that such matters as Appraisal, Conflict Resolution Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all members of the Human Resources Committee and Appeals ~~Sub-~~ Committee must agree to undertake training in these matters.

The **Allotment, Open Spaces and Cemetery Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

Membership- To comprise of 6 Members of the Council who shall be delegated to make decisions on behalf of the Council in the following matters:

- Allotment
- Open Spaces
- Grounds Maintenance- day to day management only. Contract for discussion at Full Council

- Cemetery
- Memorial Garden

Delegation for spending- It is authorised to spend up to £1000 on funding pre-authorised in the budget e.g. to treat vermin infestations, remove rubbish from allotments, cemetery maintenance. It cannot spend more than £500 on a single item nor can it spend any money not budgeted for or a spend which would take the committee over budget.

Allotment Allocations- The Officers and the Chair of the Committee can authorise appropriate work up to the value of £200 per allotment for remedial work to be carried out.

The **Complaints and Appeals Committee**, comprising of four Councillors, is delegated to make decisions on the behalf of the Council in the following matters:

- Appeals against decisions made by Council, Committee or Officers in relation to Council services including allotment matters; it is not delegated to hear staffing matters.
- Dealing with Appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.

The Committee is delegated to hear, decide on and report back on complaints received by the Council. Matters must be kept confidential, and Councillors must be able to consider whether or not they have an interest in the appeal to be heard.

Members may consider appointing a proxy, so that another Councillor can be nominated to attend an appeal if interests are found to make an appeal meeting inquorate.

The Community & Events Working Group shall be delegated to make decisions on behalf of the Council in the following matters.

Purpose: The primary purpose of the group is to assist with the planning, organisation and running of Chilton Town Council Community Events and supporting Civic Events, as listed in the Annual Schedule which is agreed by the Town Council.

Membership:
Deputy Mayor
Other council members
Town Clerk

Meetings:
As and when required, but likely to be weekly on the run up to key events

Reports to: Full Council

Responsibilities:

- Event administration. The working groups will be responsible for the following:
- Event Plan & Timetable including key tasks and dates
- Risk assessments

- Key contacts
- Budget tracking
- Post event assessment report
- Copies of the above documents must be provided to the Office which will maintain a central record
- All financial transactions will be conducted through the RFO/ Proper Officer, to ensure that the Town Council Financial Regulations are observed
- To report progress and assessment of events to Full Council
- To report income and expenditure on events to Full Council
- To appoint volunteers when required to assist in any planned events
- To provide content for the Councils website and social media to promote events and increase attendance.

The Committees may refer specific matters to the Council for a final decision if they so wish:

Recommendation of the Committee's budget each financial year.

Any funding required outside of the set budget in any given financial year.

Any other matter which may be delegated to it by the Council from time to time.

There are no other Standing Committees, but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Sub-committee is formed by means of a Minute detailing the Terms of Reference.

5. Working Groups/Parties

Working Groups/Parties may be formed by resolution of the Council or a Committee at any time. The work of such a Working Group/Party will be decided upon at the time it is formed by means of a Minute detailing the Terms of Reference. Each Working Group/Party will report back with recommendations to the Council or the Committee that formed it.

6. Delegation - Limitations

Committees and Sub Committees shall, at all times, act in accordance with the Councils Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.