

## Scheme of Delegation

This Scheme of Delegation sets out the following responsibilities delegated to the Town Clerk:

- Proper Officer
- Responsible Financial Officer
- General Matters
- Staffing Matters
- Property Matters
- Delegation
- Urgency

### Proper Officer

As per section 15 of the Standing Orders, 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.

### Responsible Financial Officer

As per section 16 the Town Clerk is also the Responsible Finance Officer. The Town Clerk is designated and authorised to act as the Responsible Finance Officer for the purposes of s151 of the Local Government Act 1972 and any statute requiring the designation of a responsible Financial Officer. The Finance Manager, as Responsible Financial Officer is specifically authorised:

- To determine the Council's accounting system and the form of the accounts and supporting accounting records;
- The Finance Manager is responsible for the proper administration of the Council's financial affairs which includes reviewing the Council's Financial Regulations and submitting and revisions to the Council for approval.
- Full details of the Responsible Financial Officer's financial responsibilities are set out in the Council's Finance Regulations.

### General Matters

The Town Clerk is authorised to:

- At least three clear days before a meeting of the Council, a committee or a sub-committee,
  - sign and serve on Councillors by delivery or post at their residences or by email authenticated in such a manner as the proper officer thinks fit, a signed summons confirming the time, date, place, and the agenda (provided the Councillor has consented to service by email) and
  - provide, in a conspicuous place, public notice, of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them)
  - subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 4 days before the meeting confirming his withdrawal of it.
- Convene a meeting of the Council for the election of a new Mayor, occasions by a casual vacancy in his office.

- Facilitate inspection of the minute book by local government electors.
- Receive and retain copies of bylaws made by other local authorities.
- Hold acceptance of office from councillors.
- Hold a copy of every councillor's register of interest.
- act as the Council's Data protection Officer or appoint an appropriate person;
- receive and send general correspondence and notices on behalf of the Council except where a resolution is to the contrary.
- Assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of necessary legislation.
- Arrange for legal deeds to be executed.
- Arrange and manage the prompt, approval and instructions regarding any payments made to the Council in accordance with its financial regulations.
- Record every planning application notified to the Council and the Council's response to the Planning Authority in a book for such purpose.
- Refer a planning application received by the Council to the Chairman of the Planning Committee and in his absence the Vice-Chairman of the Planning Committee within two working days of receipt, facilitate an extraordinary meeting if the application requires consideration before the next ordinary meeting of the Planning Committee.
- Manage access to information about the Council via the Publications Scheme.
- sign on behalf of the Council any document necessary to give effect to any decision of the Council;
- take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council;
- institute and appear in any legal proceedings authorised by the Council;
- appear at or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the residents of Bishop Auckland)
- alter the date or time of a committee meeting but, before doing so, shall consult the chairman and vice-chairman of the committee concerned about convenient alternative dates and times;
- decide arrangements for the closure of the Council offices, subject to consultation with the Chairman/Mayor of the Council.
- negotiate and enter into contractual arrangements for artistes and promoters in relation to events held and programmes of entertainment,
- manage all Council services, and make operational decisions regarding these services;
- act as the Council's designated officer for the purposes of the Freedom of Information Act 2000 .

## Financial Matters

The Town Clerk is authorised to:

- incur expenditure up to a maximum of £500 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Financial Regulations and Standing Orders in relation to Contracts.
- accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
  - The cost not exceeding the amount of the approved estimate;
  - The tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation; and,
  - All the requirements of the Council's Financial Regulations being complied with.
- compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
- invest monies held by the Council in accordance with the Council's Treasury Management Policy.

## **Staffing Matters**

The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures, and budget, as set out within their employment contract. Including:

- appointment to posts as per the Standing Orders;
- the employment of temporary employees;
- control of staff performance and discipline, in line with the Council's policy and procedures, including the power of suspension and dismissal;
- payment of expenses and allowances in accordance with the Council's scheme;
- approval of increments, in line with negotiated payments/contracts;
- supervision and line management all other employees of the Council as head of the paid service, or to delegate management responsibility to appropriate managers;
- scheduling of staff training;
- arrangement and authorisation of reasonable overtime as required; and,
- arrangement and authorisation of annual leave entitlement and other absence as appropriate.

## **Property Matters**

The Town Clerk is authorised to:

- manage all land and property of the Council, however disposal of property, assets or land cannot take place without agreement of the council.
- agree the terms of any hire, lease, license, conveyance or transfer of all Council owned properties and land;
- agree the granting or refusal of the Council's consent under the terms of all leases;
- agree all variations of all restrictive covenants; agree the granting of easements, wayleaves and licenses over Council land; and
- Initiate all legal action or proceedings against unauthorised encampments on Council land.

## **Delegation**

The Town Clerk is authorised to delegate any of the powers outlined within this scheme of delegation to other officers of the Council as required. Overall responsibility and accountability for the use of these powers remains with the Town Clerk.

## **Urgency**

The Town Clerk is authorised to act on behalf of the Council in cases of urgency or emergency. Including emergency expenditure because of an unforeseeable emergency involving immediate risk to persons, property or other assets or serious disruption to Council Services. The Lead Member(s) for the relevant service area(s) should be consulted wherever possible, before such action is taken. The Chairman/Mayor will then liaise with the Spokesperson and Chairpersons of any relevant committee.

Any such action is to be reported to the next meeting of the Council or relevant committee or subcommittee for information.