DISS TOWN COUNCIL

SCHEME OF DELEGATION

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1. Purpose

1.1 This Scheme of Delegation authorises committees and officers to exercise powers on behalf of Diss Town Council in accordance with:

- The Local Government Act 1972;
- The Council's Standing Orders;
- The Council's Financial Regulations;
- Committee Terms of Reference; and
- Any relevant legislation, statutory guidance and Council policies.

1.2 The purpose of this Scheme is to:

- ensure efficient decision-making;
- avoid unnecessary delays in Council business;
- provide clear accountability;
- maintain appropriate Member oversight; and
- ensure decisions are made at the appropriate level.

1.3 All delegated powers shall be exercised in accordance with the approved budget, adopted Council policies and any relevant resolutions of the Council.

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2. General Principles

2.1 Delegation does not remove the Council's ultimate responsibility for any function.

2.2 Any delegated authority may be withdrawn, amended or reserved to Full Council at any time.

2.3 Any matter may be referred to Full Council where:

- the matter is considered significant;
- expenditure exceeds delegated limits;
- policy direction is required; or
- the Clerk or Committee Chair considers Council determination appropriate.

2.4 Delegated decisions shall comply with:

- legislation;
- Standing Orders;
- Financial Regulations;
- adopted Council policies; and
- approved budgets.

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3. Matters Reserved to Full Council

The following matters shall remain reserved to Full Council:

Governance

- Adoption and amendment of Standing Orders.
- Adoption and amendment of Financial Regulations.
- Approval and amendment of Council policies.
- Approval of Committee Terms of Reference.
- Appointment of committees and committee membership.
- Appointment of representatives to outside bodies.
- Review of officer delegations.

Finance

- Approval of the annual budget.
- Approval of the annual precept.
- Approval of annual accounts.
- Approval of the Annual Governance and Accountability Return.
- Approval of earmarked reserve transfers.

- Approval of loans and borrowing.
- Acceptance of auditor recommendations.

Property

- Acquisition of land.
- Disposal of land.
- Granting or surrendering major property interests.

Staffing

- Determination of staffing structure.
- Creation of new permanent posts.
- Significant changes to terms and conditions of employment.

Other Matters

- Any matter reserved by law to the Council.

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4. Delegation to Committees

Committees may exercise delegated authority within their approved Terms of Reference, approved budgets and Financial Regulations.

Executive Committee

The Executive Committee shall exercise all powers delegated through its approved Terms of Reference including:

- budget development;
- financial planning;
- asset management oversight;
- staffing matters;
- communications and engagement;
- contractor oversight;
- policy review;
- volunteer management; and
- recommendations to Council on strategic matters.

Assets & Infrastructure Committee

The Assets & Infrastructure Committee shall exercise authority within its approved Terms of Reference including:

- management of Council assets and facilities;

- landlord responsibilities;
- facilities management;
- market oversight;
- infrastructure matters;
- developer contribution projects;
- neighbourhood planning matters;
- planning consultation arrangements;
- highways matters;
- CCTV; and
- street lighting.

Planning Sub-Committee

The Planning Sub-Committee shall:

- consider planning applications;
- formulate consultation responses;
- provide recommendations in accordance with Council planning procedures.

No delegation shall override the Council's status as a planning consultee only.

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5. Delegation to the Town Clerk

The Town Clerk is the Council's Proper Officer and Chief Executive Officer.

The Town Clerk may further delegate operational functions to members of staff where appropriate.

The Town Clerk is authorised to:

Governance and Administration

- carry out the functions of the Proper Officer;
- prepare agendas and minutes;
- call meetings;
- implement Council and committee decisions;
- manage correspondence;
- manage complaints and requests for information;
- maintain statutory registers and records;
- administer elections and vacancies where required; and
- ensure compliance with statutory requirements.

Legal and Regulatory Compliance

- monitor compliance with legislation;

- administer Freedom of Information requests;
- administer data protection requirements;
- monitor health and safety compliance;
- procure specialist advice where authorised within budget; and
- ensure statutory notices are published.

Operational Management

- manage Council services;
- manage Council facilities and assets;
- manage lettings and bookings;
- authorise routine maintenance and repairs;
- manage contracts within approved budgets;
- oversee projects approved by Council.

Staffing

Subject to approved policies and budgets, the Town Clerk may:

- manage employees;
- undertake recruitment for approved vacancies;
- conduct appraisals;
- approve leave;
- manage sickness absence;
- arrange training;
- manage performance issues; and
- implement approved personnel policies.

The creation of posts, changes to staffing structure and significant changes to remuneration remain reserved to the Executive Committee and/or Full Council as appropriate.

Virement

The Town Clerk, in conjunction with the Responsible Financial Officer, may authorise virements between budget headings within approved committee budgets.

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6. Delegation to the Responsible Financial Officer

The Responsible Financial Officer is authorised to:

- maintain accounting records;
- administer Council banking arrangements;

- prepare budget estimates;
- monitor income and expenditure;
- administer payroll;
- collect income;
- administer debt recovery;
- prepare the Annual Governance and Accountability Return;
- liaise with internal and external auditors;
- maintain the asset register;
- prepare financial reports;
- ensure compliance with Financial Regulations; and
- administer investment and insurance records.

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7. Financial Delegations

Delegated expenditure shall only be incurred where:

- sufficient budget exists; and
- Financial Regulations are complied with.

The following financial limits apply:

Town Clerk

Up to **£2,500 excluding VAT** within an approved budget.

Town Clerk in Consultation with the Appropriate Committee Chair

Up to **£5,000 excluding VAT** within an approved budget.

Committees

Up to **£10,000 excluding VAT** within delegated budgets and approved Terms of Reference.

Full Council

All expenditure exceeding **£10,000 excluding VAT**.

Where Financial Regulations are amended, the revised limits shall automatically apply.

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8. Urgent and Emergency Powers

8.1 Where immediate action is required to:

- protect Council assets;
- protect public safety;
- prevent interruption to Council services; or
- address an urgent legal or regulatory issue,

the Town Clerk may act on behalf of the Council.

8.2 Wherever practicable, the Town Clerk shall consult:

1. the Council Leader;
2. the Town Mayor;
3. the relevant Committee Chair; or
4. the relevant Vice-Chair.

8.3 Emergency expenditure shall be limited to the authority provided within the Financial Regulations unless a greater legal obligation exists.

8.4 Any urgent action taken under this section shall be reported to the next available meeting of Full Council.

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9. Sub-Delegation

9.1 Where permitted by law, delegated functions may be assigned by:

- a committee to a sub-committee;
- a committee to the Town Clerk; or
- the Town Clerk to an appropriate member of staff.

9.2 All such arrangements shall remain subject to Council policy, approved budgets and applicable legislation.

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10. Reporting

10.1 Delegated decisions shall be recorded appropriately.

10.2 Financial decisions shall be reported in accordance with Financial Regulations.

10.3 Emergency actions shall be reported to the next available meeting of Full Council.

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11. Review

This Scheme of Delegation shall be reviewed:

- Every four years or
- earlier where legislation, governance arrangements or Council requirements change.