

TOWN COUNCIL OF GRANGE-OVER-SANDS



Grange Town Council Delegation Scheme

May 2020

Delegation Scheme

Principles of Delegation

1. Section 101 of the Local Government Act 1972 provides:
 - That a Council may delegate its powers (except those incapable of delegation) to a committee, or an officer.
 - A committee may delegate its powers to an officer.
 - The delegating body may exercise Powers that have been delegated.
2. Any delegation to a Committee or Town Clerk shall be exercised in compliance with the Standing Orders, any other policies or conditions imposed by the Council and with the law.
3. In making any decision, regard shall be had to the Priorities, Aims and Objectives of the Council.
4. The Town Clerk may nominate another named Officer to carry out any powers and duties, which have been delegated to that Officer. Such delegation should be recorded in writing.
5. In an emergency the Town Clerk is empowered to carry out any function of the Council.
6. Where officers are contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Members, and must ensure that they obtain appropriate advice from the Council's legal, financial and other specialist staff before action is taken.

Matters reserved for Council or Committee

1. Subject to urgent items (see next section below), the following matters shall be referred to the relevant Committee or Council, where appropriate.

Any matter which:

- (a) requires a new policy; or
- (b) requires an alteration to an existing policy (other than a minor amendment); or
- (c) would be contrary to the policy framework; or
- (d) involves expenditure, or a reduction in income, for which there is insufficient budgetary provision; or
- (e) is an issue of principle as determined by the Council; or
- (f) in the opinion of the Town Clerk, cannot in law or in accordance with the Standing Orders be decided by an Officer; or

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	<p>(g) upon which a Committee has requested a report; or</p> <p>(h) a Member has requested an item to be put on an agenda</p> <p>Or</p> <p>(i) in the opinion of the officer concerned, should be determined by a Committee.</p>
	<p>Delegation to Staff</p> <p>Urgent Items</p> <p>Matters of urgency, as determined by the Town Clerk (or in their absence another Officer) shall be delegated to the relevant officer in consultation with the Chairman and Vice-Chairman of the Council or appropriate Committee subject to a report being made to the next meeting of Council or the appropriate Committee.</p> <p>Subject to those matters that are reserved for Committee (see section above) all members of staff shall be responsible and shall have delegated authority for the day-to-day operation and management of their department and of the services and land for which they are responsible.</p> <p>Any matter not reserved for Committee (i.e. any matter falling outside the criteria contained in the section above) shall be regarded as falling within the day to day operation and management of the relevant department and shall be delegated to the appropriate member of staff and shall be exercised in accordance with the principles of delegation.</p> <p>a. In the absence of the Town Clerk, the Deputy Town Clerk (if any) shall have the authority to sign and seal any official notices and documents on behalf of the Council.</p> <p>b. The Town Clerk shall have authority to issue written authorisation to individual officers as the Council's authorised officers in the performance of their statutory or other duties.</p> <p>c. Delegations to members of staff in respect of financial matters are set out in the Councils Financial Regulations.</p> <p>d. Delegations to The Town Clerk in respect of land and premises are set out in the Financial Regulations.</p> <p>e. The Town Clerk shall also have delegated management authority for the following Services:</p> <ul style="list-style-type: none">• Resources• Media and Corporate Issues• Personnel <p>f. The Town Clerk shall be responsible for signing all the Council's Official Notices and for sealing Council documents.</p> <p>g. The Town Clerk shall be the Proper Officer for any function of the Council in the absence of any other appointment as specified within this Delegation Scheme.</p>
	<p>Delegation to Committees</p> <p>Committees have delegated authority to decide matters within their terms of reference except for the following matters, which are reserved for Council:</p> <ul style="list-style-type: none">• To adopt and change the Standing Orders.• To approve and adopt the budget.

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- To determine the Council's Priorities.
- To appoint the Council Chair.
- To agree and/or amend the terms of reference for Committees, deciding on their composition and making appointments to them.
- To adopt the schedule of meetings for the ensuing year.
- To consider the recommendations of any Remuneration Panel (Personnel or Staffing Committee) and adopt the level of allowances that can be claimed by Members of the Council in respect of authorised or approved duties.
- To make any decisions which would be contrary to the policy framework.
- To determine matters involving expenditure for which budget provision is not made or is exceeded.
- To determine matters which do not fall within the remit of any Committee.
- To determine matters affecting or likely to affect, another Committee or where consultation with or approval of that other Committee is required.
- To set the Precept.
- To borrow money.
- To receive statutory reports from the Town Clerk.
- To consider any matter required by law to be considered by Council.