



## Houghton Regis Town Council

### Scheme of Delegation

Date of Approval:	Town Council 18 <sup>th</sup> April 2016
Date of Review:	24 <sup>th</sup> May 2017; 3 <sup>rd</sup> July 2018; 15 <sup>th</sup> May 2019; 20 <sup>th</sup> July 2020, 12 <sup>th</sup> May 2021, 18 <sup>th</sup> May 2022, 17 <sup>th</sup> May 2023, 15 <sup>th</sup> May 2024

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 Committee/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.

The Town Clerk may delegate any powers and duties to other Officers within the Council. A delegation to a subordinate Officer shall not prevent the Town Clerk from exercising the same power or duty at the same time

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.

<b>GENERAL</b>		
1	To exercise any statute, regulation or order which confers functions or duties of the Proper Officer	Town Clerk
2	To sign, or where appropriate, have sealed on behalf of the Town Council any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Town Council	Town Clerk
3	To take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation to the Council	Town Clerk
4	To institute and appear in legal proceedings authorised by the council	Town Clerk
5	To appear or make representations 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 citizens of Houghton Regis)	Town Clerk
6	To alter the date or time of a Council, Committee, Sub-Committee, Working Group meeting but, before doing so shall consult the Mayor, Group Leaders or Committee Chairmen	Town Clerk
7	To decide arrangements for the closure of the council offices in the Christmas/New Year period, subject to consultation with the Mayor	Town Clerk
8	To deal with the day-to-day matters relating to the use and hiring of Council Buildings	Head of Democratic Services
9	To negotiate and enter into contractual arrangements for artistes/promoters in relation to events held in Houghton Regis organised by the Town Council	Civic & Events Manager
10	To act as the Council's Designated Officer for the purposes of the Freedom of Information Act 2000	Town Clerk
11.	To apply for planning consent for the carrying out of development by the Town Council.	Town Clerk
12.	To respond to consultations on planning applications/highway matters/rights of way matters/street naming and other matters subject to the comments of the Planning Committee	Head of Democratic Services
13	To respond to complaints made under the Council's complaints procedure and to make such ex-gratia payments in settlement of such complaints as are considered justified, subject to ratification by the Corporate Services Committee	Town Clerk
14	To manage, monitor and review the Council's internal control procedures	Town Clerk
15	To manage, monitor and review the Council's Corporate Risk Management Strategy	Town Clerk
16	To arrange all civic ceremonies and ancillary events in consultation with the Mayor	Civic & Events Manager
17	To maintain the Council's Standing Orders	Town Clerk
<b>FINANCIAL</b>		
18	To be the Responsible Financial Officer for the purposes of s151 Local Government Act 1972	Town Clerk
19	To determine the financial management and accounting procedures and extent of financial records	Town Clerk
20	To operate the Council's banking arrangements	Town Clerk
21	To pay all accounts properly incurred	Town Clerk

22	To pay all subscriptions to organisations to which Council belongs.	Town Clerk
23	To pay salaries and allowances	Town Clerk
24	To act as the Council's Administrator for the Bedfordshire Pension Fund	Town Clerk
25	To collect all income due to the Council including appropriate interest and costs	Town Clerk
26	To make all necessary arrangements for the provision of internal and external audit service for the Council	Town Clerk
27	To negotiate settlements in connection with claims made by and against the Council in consultation with the Council's Insurers where appropriate.	Town Clerk
28	To incur expenditure on revenue items with the approved estimates and budgets	Town Clerk
29	To incur expenditure on capital schemes within the Council's approved Capital Programme	Town Clerk
30	To use the Repairs & Maintenance Budgets for the maintenance, replacement or repair of existing buildings, plant, vehicles or equipment	Head of Environmental and Community Services
31	To enter into leasing and/or contract hire agreements for the acquisition of vehicles, machinery and equipment on such items as are considered appropriate	Head of Environmental and Community Services
32	To accept quotations or tenders for work, supplies or services (where tenders are required by the Council's Financial Regulations) subject to: <ul style="list-style-type: none"> <li>• The cost not exceeding the approved budget</li> <li>• The tender being the most economically advantageous to the Council according to the criteria set out in the tender documentation</li> <li>• All the requirements of the Council's Financial Regulations being complied with</li> </ul>	Town Clerk
33	To carry out virements of sums between cost centres in accordance with the Council's Financial Regulations	Heads of Service
34	To exercise the powers of the Council to borrow and invest	Town Clerk
35	To manage investments. Apply for and repay loans as appropriate in accordance with the Financial Regulations.	Town Clerk
36	To authorise action for the recovery of debts	Town Clerk
37	To write-off debts up to £1000 where the sum is considered irrecoverable.	Town Clerk
38	To maintain a Register of Assets and Inventory of Equipment	Town Clerk
39	To determine the Council's insurance requirements on behalf of the Council	Town Clerk
40	To make all necessary arrangements for the Council's insurances.	Town Clerk
41	To enter into contracts for the purchase and supply of goods and services for the use in their respective services within estimates	Town Clerk
42	To prepare a draft budget for consideration by the Council	Town Clerk
43	To prepare the final accounts for each financial year	Town Clerk

44	To pay full compensation for loss where the Council is likely to be legally liable to pay compensation, where sued	Town Clerk
45	To pay any proved out of pocket expenses of complaints where complaint is upheld	Town Clerk
46	To provide banking facilities for the Mayor's Charity Fund and to pay the Mayor's Annual Allowance as may be determined from time to time	Town Clerk
47	To maintain the Council's Financial Regulations	Town Clerk
<b>EMPLOYMENT</b>		
48	To exercise the functions of the Council's Head of Paid Service under S4 Local Government & Housing Act 1989	Town Clerk
49	To manage the Council staff in accordance with the Council's Policies, Procedures and Budget	Town Clerk
50	To appoint posts including apprentices	Town Clerk
51	To appoint temporary employees as and when required within the budget estimates	Town Clerk
52	To prepare job description and person specifications, placing of advertisements and short-listing	Town Clerk
53	To approve individual salary grading within any job evaluation grading structure approved by Council	Town Clerk
54	To manage staff performance	Town Clerk
55	To control discipline and performance, including power of suspension and dismissal	Town Clerk
56	To exercise Disciplinary & Grievance Procedures in accordance with the Council's Procedures	Town Clerk
57	To determine approved duties for payment of travel, subsistence and car allowances to Officers where they represent the Council	Town Clerk
58	To approve/refuse applications for re-grading, remove any bars in salary scales and to authorise salary increments and accelerated increments.	Town Clerk
59	To approve the payment of overtime	Town Clerk
60	To agree minor variations to the conditions of employment	Town Clerk
61	To implement and monitor arrangements for annual leave, flexi-time, sickness absence, flexible/hybrid working, maternity and paternity leave in accordance with the Council's Policies	Town Clerk
62	To authorise training in line with Council's Policies	Town Clerk
63	To authorise the provision of branded clothing & PPE	Town Clerk
64	To approve the payment of claims from employees for compensation for loss or damage to personal property	Town Clerk
65	To negotiate and agree settlements on behalf of the Council in relation to any proceedings in the Employment Tribunal	Town Clerk
66	To agree to premature retirement on the grounds of duly certified ill health	Town Clerk
67	To terminate employment during probation and to review salary on completion of probationary periods.	Town Clerk
68	To commission legal and professional advice on staffing matters	Town Clerk
69	To represent the Council at any conference, meeting, or inquiry to which the Council is invited unless the Council has indicated	Town Clerk

	otherwise and to exercise any voting rights conferred by the corporate membership of any body	
70	To offer training to Councillors	Town Clerk
71	To exercise any functions delegated to the Town Clerk in his/her absence	Head of Corporate Services
<b>PROPERTY</b>		
72	To manage land and property of the Council	Head of Environmental and Community Services
73	To agree the terms of any lease, licence, conveyance or transfer	Town Clerk
74	To sell surplus materials, vehicles, plant, equipment and goods, salvage scrap and other waste	Head of Environmental and Community Services
75	To grant easements, wayleaves and licence over Council land	Town Clerk
76	To initiate legal action or proceedings against unauthorised encampments or encroachments on Council land	Town Clerk
77	To direct the custody of Council property and documents in accordance with s226 Local Government Act 1972	Town Clerk
78	To exercise responsibility for the safe custody and maintenance of the Civic Regalia	Town Clerk
79	To place architectural, quantity surveying, civil engineering and other similar specialist work with outside agencies within the appropriate fee scale and the Council's relevant estimates, standing orders and financial regulations	Town Clerk
80	To appoint the Principal Contractor and Planning Supervisors for the purposes of the Construction (Design and Management) Regulations.	Town Clerk
81	To requisition off site services in respect of any construction contract approved by the Council for which they act as Architect or Contract Administrator	Town Clerk
82	To make applications for all statutory consents necessitated by any approved Council proposal or development	Head of Environmental and Community Services
83	To engage valuers or selling agents on behalf of the Council	Town Clerk
<b>HEALTH AND SAFETY</b>		
84	To oversee the discharge of the Council's responsibilities under the Health & Safety at Work Act 1974	Town Clerk
<b>LEGAL PROCEEDINGS</b>		
85	To take and discontinue legal proceedings in any court or at any tribunal	Town Clerk
86	To take Counsel's advice or instruct Counsel to represent the Council	Town Clerk
87	To seek injunctions and commence proceedings for the purposes of: • Enforcement in accordance with the Council's Policies	Town Clerk

	<ul style="list-style-type: none"> <li>• Recovering Money due to the Council</li> <li>• Recovering or otherwise preserving possession of the Council's land or property</li> <li>• Defending the interests of the Council</li> <li>• Appealing against a decision affecting the interests of the Council and responding to appeals against action taken by the Council</li> </ul>	
88	To represent the Council at Court or any tribunal or to make arrangements for appropriate representation	Town Clerk
89	To negotiate and settle the terms of documents to give effect to a decision of the Council or any of the Committees or any officer acting under delegated powers	Town Clerk
90	To be the responsible officer for the co-ordination and operation of the legal requirements under the Data Protection Act and the Freedom of Information Act	Town Clerk
91	To serve requisitions for information	Town Clerk
92	To authorise any member of staff to swear affidavits as to matter within their knowledge in any court proceedings involving the Council	Town Clerk
93	To authorise any member of staff to appear on behalf of the Council before a Magistrate's Court	Town Clerk
<b>RECREATION &amp; EVENTS</b>		
94	To grant permissions for the use of recreational open space in accordance with Council Policy and statutory requirements	Head of Environmental and Community Services
95	To organise sporting, recreational, cultural events and entertainments in accordance with approved budget provision and the Council's Financial Regulations	<ul style="list-style-type: none"> <li>• Civic &amp; Events Manager</li> <li>• Community Services Manager</li> </ul>
96	To liaise with the Safety Advisory Group and carry out any necessary actions arising from recommendations from that body.	<ul style="list-style-type: none"> <li>• Civic &amp; Events Manager</li> <li>• Community Services Manager</li> </ul>