

OLD BOLSOVER TOWN COUNCIL

Scheme of Delegation

Scope

Under s101 (1), (5) and (6) of the Local Government Act 1972, a parish or town Council may arrange for any of its functions to be discharged by a committee, sub-committee or officer. Old Bolsover Town Council has established this Scheme of Delegation to set out the responsibilities.

Town Clerk and Responsible Financial Officer

The Responsible Financial Officer to the Council shall be responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations.

The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- To receive declarations of acceptance of office.
- To receive and record notices disclosing personal and prejudicial interests.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council.
- To receive copies of by-laws made by the unitary authority.
- To certify copies of by-laws made by the Council.
- To sign summonses to attend meetings of the Council.
- To act as the authorised person for the purpose of the Local Authorities Cemeteries Order 1977.

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 by the Council.
- Authorisation of routine expenditure within the agreed budget.
- Emergency expenditure up to £1,000 outside the agreed budget.
- To act immediately on all Health and Safety or emergency issues without waiting for endorsement by the full Council.
- To approve memorial applications that comply with the Council's rules and regulations.

The delegated 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.

Matters reserved to the Full Council

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

- Setting the Town Precept and adopting the Budget
- Approving any virement between budgets
- Borrowing money
- Setting fees and charges
- 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 Town, excluding those matters specific to a committee
- The adoption of a Neighbourhood Plan

Committees

Currently the Council has the following committees:

1. Finance Committee
2. Allotments Committee
3. Personnel Committee

Unless otherwise specified, the membership of Committees is up to 6 councillors, with a quorum of 3.

Other Committees, sub-committees, advisory groups and working parties

Other standing committees and sub-committees may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the committee is formed by means of a minute detailing the terms of reference.

Advisory groups and working 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.

Committees and sub-committees shall, at all times, act in accordance with the Council's standing orders, financial regulations and this scheme of delegation and, where applicable, any other policies, rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.

Date of policy: March 2024

Policy effective from: March 2024

Date for next review: March 2026