



Ventnor
Town Council

Created date –December 2023

Scheme of Delegations

Review date – December 2024



Scheme of Delegations

1. Introduction

This Scheme of Delegation forms part of the Council's Financial Regulations and Standing Orders and will be reviewed annually, or earlier (for example) when there are significant staffing changes. The power to delegate functions by local councils is set out in the Local Government Act 1972, section 101.

Committees of the Council have powers delegated to them through their agreed terms of reference. Otherwise, decisions can only be made by a meeting of the full Council, or by the Town Clerk or other member of staff under an agreed delegation as set out below.

Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.

2. General Delegations

2.1 That the Town Clerk (or the staff that he or she, in turn, sub-delegates powers to), be authorised to conduct the business affairs of the Town Council subject to the actions taken being lawful, achieving value for money, complying with the policies and procedures of and being within the budget already approved by the Town Council. This delegation includes the day-to-day administration of services, together with routine inspection and control.

2.2 That the Clerk (with his or her team) will be the manager for all staff employed by the Council and is given delegated powers to manage staff in accordance with the Council's policies, procedures and budget, including authority to sanction and authorise payment of overtime in exceptional circumstances (subject to advance notice given to **Policy and Resources Committee** members) and within the approved budget.

2.3 That the Town Clerk be granted power to act on his or her own initiative to implement the Council's policies and objectives, and to authorise expenditure on any item of up to £1,000 *provided* that such expenditure will not lead to an overspend against the appropriate budget head or category and that such expenditure is not on a *new* asset or service that would be of public interest (see section 4 for the delegation to make unbudgeted expenditure in circumstances of urgency).

3. Specific Delegations



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The Council, or a Committee acting within its agreed terms of reference, may at any time:

- a. Authorise the Town Clerk (or other specified officer) to implement a particular course of action or determine a specific matter (this is a temporary authorisation); and/or:
- b. Delegate to the Town Clerk (or other specified officer) to exercise certain powers or functions on behalf of the Town Council (this is a permanent authorisation unless modified or removed by the full Council or appropriate Committee). If the intention is for a permanent change, this document should be amended accordingly.

3.1 Land and Property

That the Town Clerk as its Proper Officer for handling land and property matters (or their nominee) be authorised to enter into a lease on behalf of the Council for a period of up to three years (and beyond that period only with the specific authorisation of the Council), including the negotiation of terms and signing of documents, subject to the following:

- a. Prior approval by full Council of any leases that extend beyond 3 years (whether entering or terminating); and
- b. Prior approval by full Council of the disposal of any asset where the value is above £10,000.

And, in both of the above circumstances, any documentation will be signed by two Members of the Town Council.

3.2 Contracts and Agreements

That the Town Clerk (or their nominee) be granted delegation to enter into the following on behalf of the Council:

- a. contracts for standard business services (such as those for IT support, photocopiers, telephones, alarm systems etc.) and contracts for utilities (such as for electricity and water) subject to periodic value for money reviews of such contracts by the Council or an appropriate Committee or Working Group; and
- b. agreements for insurance cover.

That the Town Clerk (as Proper Officer) will be responsible for signing all the Council's Official Notices and for sealing Council documents as set out in the Standing Orders.

3.3 Banking, Insurance and invoices



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That the Town Clerk be granted delegated authority to renew the Council's banking and insurance arrangements under the terms of agreements with existing providers (appointment of new providers must be approved by Council).

That the Town Clerk or Responsible Financial Officer be authorised, where they already have delegated power to incur the expenditure, to settle any invoice that is addressed to and received by the Council at its Salisbury Gardens office address. Invoices addressed or sent to other organisations or individuals (including individual Members of the council) will only be settled after agreement from the Council or appropriate Committee.

Authority to settle invoices is only delegated where the purchase or works have been authorised in advance by the full Council, appropriate committee, the Town Clerk or another appropriately empowered member of the Council's staff.

3.4 Fees and Charges

That the Town Clerk (or their nominee) be granted delegated authority to vary the Town Council's schedule of fees and charges with regard to a long-term agreement with a customer or trial period with a new customer. Any other modifications to fees and charges must be made in consultation with the Mayor and the Chair of any appropriate Committee or Working Group.

(Note: This delegation does not permit the revision of fees and charges for all customers)

3.5 Capital Works

That whilst in normal circumstances, a capital authorisation should be approved in full, or in principle, by the full Council, prior to the commencement of a project, the Town Clerk be granted delegated authority to seek such approval through the following alternative routes in order to expedite the delivery of a capital project:

- a. Referral for approval to a Committee that is meeting between Council meetings and/or:
- b. Referral for approval to all Members of the Council via circulation by email of information about the need for the project, estimated cost, risks of delay etc. In the event of any unresolved objection, the decision should be referred to an ordinary or extraordinary meeting of the Council.

3.6 Consultations



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That the Town Clerk be granted delegated authority to determine, in consultation with the Mayor, which consultations the Town Council will prioritise and respond to, and whether the Town Council's response will be determined through:

- a. Full Council or a Standing Committee of the Council;
- b. A Working Group (within its terms of reference, or constituted for this purpose); or
- d. The Town Clerk, in consultation with Members

Or whether the Town Council will rely upon, or support, the representations made by another body (such as the Isle of Wight Association of Local Councils).

3.7 Personnel

That the Town Clerk be granted delegated authority to determine the grades of all posts, in consultation with the Chair of the **Policy and Resources** Committee or the members of that Committee as appropriate.

That the Town Clerk be granted delegated authority to:

- a. negotiate the financial and non-financial terms of a settlement agreement with a third party in respect of a personnel matter; and
- b. sign a settlement agreement on behalf of Ventnor Town Council.

Subject to prior approval to the course of action in principle from the **Policy and Resources** Committee.

3.8 Events

That the Town Clerk be granted delegated authority to manage, promote and co-ordinate the events agreed by the Council in consultation with the Mayor and/or the **Business and Community Committee**.

3.9 Media and publicity

That the Town Clerk be granted power to release press statements on any activities of the Council subject to prior consultation with either the Mayor or Chair of the relevant committee, in accordance with the provisions of Standing Orders and any Press and Media policy agreed by the Council.

That the Town Clerk retain overall editorial control of the Town Council websites, social media accounts and the Newsletter, to reflect and be managed in accordance with Council policy.



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4. Urgent Actions

That the Town Clerk be authorised to take urgent action subject to notification of the Mayor (or, for matters within that Committee's terms of reference, the Chair of the **Policy and Resources** Committee) on any matter of business affecting the Council involving unbudgeted expenditure of up to £1,000 subject to a full report being submitted to the next available meeting of Council or the appropriate Committee, giving the reasons why urgent action was required. If more significant unbudgeted and urgent expenditure is required, the decision should be taken by an extraordinary meeting of the Council.

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