

# Bury St Edmunds Town Council

## Scheme of Delegation

**This Scheme of Delegation authorises the Clerk, Standing Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed:**

### **1. Town Clerk/Proper Officer**

- 1.1. The Town Clerk, who is the Proper Officer for the Council, has the delegated authority to undertake the following matters on behalf of the Council:
  - 1.1.1. Day to day administration of services, together with routine inspections and executive control.
  - 1.1.2. Day to day supervision and management of all staff employed by the Council.
  - 1.1.3. To incur routine expenditure within the agreed budget and other instructions and regulations.
  - 1.1.4. To approve expenditure within the budget allocation for *Bury In Bloom*.
  - 1.1.5. To respond to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees.
  - 1.1.6. To dispose of obsolete, worn out and surplus stores, equipment and the like, and remove the same from asset register.
  - 1.1.7. To permit the use of the Council premises and property for occasional purposes other than for political meetings, provided an officer of the council is present in any event.
  - 1.1.8. To authorise visits and attendance on courses by officers.
  - 1.1.9. To implement all salary and wages awards and other financial conditions of service, agreed by national and local negotiating bodies.
  - 1.1.10. To authorise individual officers to act as the Council's authorised officers in the performance of their statutory or other duties.
  - 1.1.11. Organisation of Civic Events: the St Edmund's Day Citizen/Community and Young Citizen of the Year Awards and Allotment Awards, including the presentation evening. The Armistice Day commemoration including any reception afterwards.
  - 1.1.12. To renew the Council's insurance annually, within the agreed budget.
- 1.2. The express authorisations herein contained are in addition to the normally accepted powers of officers to deal with matters falling within the scope of the Council, as detailed in Council's adopted Standing Orders.
- 1.3. All delegated powers and duties and authorisations shall be exercised in accordance with Standing Orders, Financial Regulations, adopted Policies and Procedures, this Scheme of Delegation, statute and law, and with directions given by the Council from time to time.
- 1.4. Nothing in this Scheme of Delegation shall derogate from any statutory powers or duties conferred or imposed directly on an officer of the Council.
- 1.5. The Clerk may nominate another named Officer to carry out any powers and duties, which have been, delegated to that Officer.
- 1.6. All delegated powers and duties and authorisations to officers shall be exercised and performed on behalf of and in the name of the Council and acts and proceedings shall be deemed to be the acts and proceedings of the Council.

### **2. Committees and Sub-Committees**

- 2.1. The agreed terms of reference of each committee shall include the extent of its delegated authority (if any).

### **3. Matters reserved for Council or Committee**

- 3.1. The following matters will remain reserved for Council or Committee and be referred to them as appropriate:
  - 3.1.1. Requirement of a new policy;
  - 3.1.2. Requirement of an alteration to an existing policy (other than a minor amendment);
  - 3.1.3. Any activity be contrary to the policy;
  - 3.1.4. Expenditure, or a reduction in income, for which there is no sufficient budgetary provision;
  - 3.1.5. An issue of principle, as determined by the Council;
  - 3.1.6. In the opinion of the Clerk, an act which cannot, in law or in accordance with policy, be decided by an officer;
  - 3.1.7. Upon which a Committee has requested a report;
  - 3.1.8. A Member has requested an item to be put on an agenda
  - 3.1.9. In the opinion of the Clerk, should be determined by a Committee.

### **4. Matters reserved for Council only**

- 4.1. Those specifically relating to Anti-Social Behaviour, Policing or Crime and Disorder.

### **5. Delegation - Limitations**

- 5.1. Officers, 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 rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.

### **6. Urgent Matters**

- 6.1. In the event of any matter arising which requires an urgent decision, the Town Clerk (or in his/her absence another Officer) shall consult the Chairman and Vice Chairman of the relevant Committee and with the concurrence of those member(s) shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 6.2. Before exercising the delegated powers granted by paragraph 6.1 above, the Town Clerk and those members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a special meeting of the appropriate committee and where a meeting is summoned the committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 6.3. Before exercising the delegated powers granted by paragraph 6.1 above, the committee concerned shall consider whether the matter is of sufficient importance to justify recommending to the Chairman of the Council that a special meeting of the Council should be called in accordance with Standing Orders.
- 6.4. Any action taken under this section must be recorded in writing and made available for inspection by any member of the Council. Full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meetings of the Committee concerned and of the Council.

**Amended November 2023**