

UCKFIELD TOWN COUNCIL



SCHEME OF DELEGATION

Issue No.	Date Agreed	Details of amendments
1	26.04.24	Draft presented to Full Council 26.06.24
2		
3		
4		

DRAFT Scheme of Delegation

1.0 Introduction

- 1.1 A scheme of delegation enables a local authority to function efficiently and effectively in its day to day operations.
- 1.2 Under the Local Government Act 1972 s101(a), the Town Council has the power to arrange for the discharge of functions to a committee, sub-committee or officer employed by the authority.
- 1.3 Uckfield Town Council holds a set of Standing Orders which are the written rules of the council - determining the conduct, governance requirements and procedures for the town council's meetings – of the full Council, standing committees and sub-committees.
- 1.4 The council has a clear set of terms of reference which outline the areas and responsibilities covered by the Town Council's standing committees. This is set out in appendix (x).
- 1.5 The council also has to adhere to a set of financial regulations, which ensure the necessary procedures and internal controls are in place to manage the council's finance and procurement. These should be observed in conjunction with the Council's standing orders.
- 1.6 Without these governing documents and the Council's terms of reference, every decision would have to be taken by the Full Council as powers cannot be legally delegated to individual Councillors or working groups. For the purpose of clarity, working groups are established to investigate and/or review a particular subject or activity then report back to the relevant committee or Council with its findings which may include recommendations. Further information is available in the Town Council's Working Groups policy – policy no. x.
- 1.7 Being a Town Council with a large asset portfolio, and close attention needed to manage the operations of the Civic Centre, Foresters Hall and Luxfords Restaurant alongside our outside spaces, it would not be practicable or viable to wait for a Full Council meeting to address specific matters.
- 1.8 Delegated authority will therefore be exercised responsibly to those best placed to manage these responsibilities, and due consideration will be given to public scrutiny, accountability and the best interests of the local community.

2.0 Roles and Responsibilities

2.1 As outlined in our Standing Orders and Financial Regulations, some matters cannot be delegated, and can only be determined by resolution of the Council:

2.2 Full Council Functions

The following matters are to be dealt with by the Full Council:

- (i)** Appointing the Mayor and Deputy Mayor in May each year;
- (ii)** Declaring eligibility for the General Power of Competence;
- (iii)** Annual review and adoption of the Town Council's standing orders, financial regulations, committee terms of reference, scheme of delegation;
- (iv)** Approval of Town Council's Annual Budget and setting the Precept in January each year.
- (v)** Approval of the Internal Audit of accounts for financial year end, alongside the Annual Governance Statement (Section 1 of the Annual Governance & Accountability Return (AGAR));
- (vi)** Approval of Section 2 of the Annual Governance & Accountability Return (Accounting statements);
- (vii)** Authorisation the recommendations of Finance Sub-Committee and General Purposes Committee on borrowing;
- (viii)** Appointments to Standing Committees;
- (ix)** Appointing Town Council representatives to outside bodies
- (x)** Making of Orders under any statutory powers.
- (xi)** Making, amending, revoking or re-enacting by-laws.
- (xii)** Confirming the appointment of a new Town Clerk, further to recommendations from appointed panel for recruitment;
- (xiii)** All other matters which must, by law, be reserved to the Full Council.

2.3 Delegation to Committees

The remit of the Town Council's standing committees, and sub-committees are specified in the council's terms of reference which are available to view in appendix X.

2.4 Delegation to Officers

Under the Local Government Act 1972, the Town Council ‘*shall appoint such officers as they think necessary for the proper discharge by the authority of such of their or another authority’s functions as fall to be discharged by them.*’

The following matters are delegated to the Council’s Officers to make decisions on behalf of the Council. These decisions must be exercised in accordance with the law, the Council’s Standing Orders and Financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.

Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council. Similarly where Officers have no delegated power to make a decision they will report the matter to Committee or the Council for a decision.

And, nominated officers can delegate functions to an appropriate staff members, although they retain ultimate responsibility for any decisions made.

No.	Area of Operation	Delegation	Officer/Committee
1	Allotments	Sign agreements and allocate plots when vacancies arise, in accordance with the waiting list	Senior Administrative Officer
		Carry out inspections of allotment plots and issue warning notices	
		Issue eviction notices in accordance with the Allotment tenancy agreement	Recommendation by Allotment Working Group to E&L Committee
2	Appointments to Standing Committees and Sub-Committees	Nomination and appointment of members to standing committees and sub-committees	Preparation managed by Proper Officer and decision taken by Full Council
3	Appointment of representatives on Outside Bodies	Nomination and appointment of representatives to Outside Bodies	Preparation managed by Proper Officer and decision taken by Full Council
4	Archives and information management	Receive, retain and archive documentation in accordance with the Town Council’s retention policy	Proper Officer
5	Asset management	Maintain the Fixed Asset Register	Proper Officer/ Assistant Town Clerk
		Day to day administration and operation of buildings and open spaces, together with routine inspection and control, and instigating building maintenance and repairs within agreed budgets	Estates & Facilities Manager /Proper Officer

6	Audit	Liaise with Internal and External Auditors	Assistant Town Clerk/Proper Officer
		Select and review internal auditors at the point of renewing the contract	General Purposes Committee
7	By-laws	Receive and certify copies of by-laws made by the Town Council	Proper Officer
8	Cemetery	Sign Deeds of Exclusive Right of Burial, any transfer of deeds	3 x Town Councillors at Full Council
		Approval of 'permission to erect a memorial' application, additional inscriptions and plaques for the Cloistered Wall	Senior Administrative Officer
		Managing enquiries for burial or ashes interment arrangements, along with allocating pre-purchased plots	Senior Administrative Officer
9	Civic Centre	Arranging and managing the Events Programme for the Civic Centre	Hospitality Manager
		Organisation of Civic/prestigious events	Proper Officer
10	Communications	Issue all formal communications on behalf of the Town Council in accordance with the Town Council's Media & Communications Policy	Marketing & Community Engagement Officer/Proper Officer
		Manage the Town Council's website and Civic Centre website and associated social media accounts	Marketing & Community Engagement Officer
		Manage internal communications to staff and corporate messages	Proper Officer/Management Team
11	Consultations	Respond to consultations in accordance with the resolutions of the relevant committee	Proper Officer delegated to committee clerks (Administrative Officer – Plans) (Senior Administrative Officer – E&L Committee) (Assistant Town Clerk/Proper Officer – Full Council/GP)
		Issue consultations to local residents, visitors or businesses	Marketing & Community Engagement Officer/Proper Officer
12	Correspondence	Authorisation to respond immediately to any correspondence requiring or requesting information or relating to previous decision of the Council, but not correspondence requiring an opinion of the Council to be taken	Proper Officer

13	Council meetings	At least three clear working days before a meeting of the Council, or a committee, serve on councillors a signed summons in accordance with the Standing Orders	Proper Officer
		Give public notice of the date, time, place and agenda at least three clear working days before a meeting of the council or committee/sub-committee, in accordance with the Standing Orders	Proper Officer
		Keep minutes and other proper records of council meetings, in accordance with the Town Council's retention policy	Proper Officer
14	Elections/Co-option	To notify Elections Team at Wealden District Council of casual vacancy arising in council membership	Proper Officer
		Arrange for newly elected/co-opted councillors to sign Declaration of Acceptance of Office forms	Proper Officer
		Arrange for newly elected/co-opted councillors to complete Register of Interests and frequent reviews	Proper Officer
15	Emergency Planning	Lead the Council's response in the case of a major emergency, in consultation with East Sussex County Council's Emergency Planning Officers and Wealden DC's Emergency Planning Officer, in accordance with the Town Council's Community Resilience Plan	Proper Officer, and appointed lead Town Councillors (currently have 4 as of May 2024)
16	Events	Authorise requests for external hirers to facilitate events on Town Council land, or hireable spaces such as those in Civic Centre, Foresters Hall and Victoria Pavilion, and open spaces such as Luxford Field in accordance with the terms and conditions set out.	Management of bookings by Administrative Officers. Authorisation by Estates & Facilities Manager or Proper Officer
17	Expenditure	Budgetary control and authority to spend, in accordance with the Town Council's Financial Regulations and decisions taken by standing committees and Full Council	Management Team
18	Expenditure in an emergency/urgent situation	<p>Unbudgeted expenditure on behalf of the Council which is deemed urgent or is of an emergency nature e.g. works or services required to address an imminent risk to Council operations, personnel or public.</p> <p>This expenditure is subject to a financial limit of £10k, unless approved by the Urgent Consultation Panel.</p> <p>Retrospective approval of the decision of the Urgent Consultation Panel, must be</p>	Urgent Consultation Panel/Proper Officer

		obtained at the next relevant meeting (Full Council)	
19	Finance – Cash flow and payments	The RFO will create online bank payments and transfers which will be authorised by the Proper Officer and two nominated councillors, in accordance with the Financial Regulations	Assistant Town Clerk or Proper Officer in their absence/Councillors on the bank mandate
20	Finance - investments	Invest Council funds in accordance with the Town Council's Financial Regulations, and Annual Investment Strategy	Assistant Town Clerk/ in response to GP Committee recommendation and Full Council ratification
21	Finance - virements	The virement of funds between budgets up to £2,999 in accordance with the Financial Regulations.	Assistant Town Clerk in consultation with Management Team
		The virement of funds between budgets of £3,000 and over, in accordance with the Financial Regulations	General Purposes Committee
22	Freedom of Information	Response to requests received through Access to Information legislation (Freedom of Information Act 2000 and Environmental Information Regulations 2004)	Proper Officer
23	GDPR	Manage the handling of information in line with the principles of the General Data Protection Regulations	Proper Officer
24	Grants	Receipt of applications and preparation for councillors for annual community grants programme	Administrative Officer
		Consideration of grant applications submitted to the Town Council, in accordance with the Community Grants programme criteria	Finance Sub-Committee to make recommendations, to be reported to General Purposes Committee for ratification.
		Submission of grant applications for external funding	Overseen by Proper Officer or Assistant Town Clerk
		Deal with dispensation requests from Members under the Code of Conduct.	Proper Officer
25	Health and Safety	Act as the Town Council's nominated Health & Safety Officer	Estates & Facilities Manager – with delegated responsibilities for checks and compliance to Head Caretaker and Head Groundsman.

			Overseen by Proper Officer.
26	Income generation	Developing income generation activities	Management Team
27	Insurance	Preparation for renewals, and updates to existing policies	Assistant Town Council/Estates & Facilities Manager/Proper Officer
		Issuing claims on the Council's insurers	Assistant Town Council/Estates & Facilities Manager/Proper Officer
		Annual review of the Town Council's insurance cover (i) buildings insurance, and (ii) public liability, employer liability and fidelity guarantee	General Purposes Committee
28	Lease agreements	Management of renewal of lease agreements; liaising with commercial estate agent, liaison with tenants/leaseholders, and reporting to members for consideration of terms and draft agreements	Proper Officer (can be delegated to Assistant Town Clerk or Estates & Facilities Manager)
		Execution of lease agreements (signing and sealing)	Two councillors at Full Council meeting
29	Legal documents/representation	Signing of agendas (summons), notices, contracts and agreements on behalf of the Town Council and any other documents requested by the Council, in accordance with the Standing Orders	Proper Officer
		Hold the Council's seal and apply to documents as approved	Proper Officer
		Appear of make representation to any tribunal or public inquiry into any matter to which the Town Council has an interest	Proper Officer
30	Luxfords Restaurant	Management of day to day operations of Luxfords Restaurant, and purchases within agreed budgets	Hospitality Manager
31	Mayoral duties	Arrange for newly elected Mayor to sign the Declaration of Acceptance of Officer forms	Proper Officer
		Managing the Mayor and Deputy Mayor's engagements (diary)	Administrative Officer
32	Plans Committee decisions	Respond to the local planning authority (Wealden DC's planning department) and consultations, in accordance with the resolutions of the Town Council's Plans Committee	Administrative Officer/Proper Officer

33	Procurement	Undertake procurement exercises in accordance with the Town Council's Financial Regulations	Estates & Facilities Manager/Proper Officer
34	Public toilets	Manage the Civic Centre toilets under the Wealden DC Community Toilet scheme	Head Caretaker/Estates & Facilities Manager
		Manage the public toilet(s) at Victoria Pavilion	Head Caretaker/Estates & Facilities Manager
35	Recruitment of Town Clerk (Proper Officer)	Approve recruitment process	Personnel Sub-Committee recommendation to General Purposes
		Shortlisting and interviewing applicants	Recruitment panel
		Confirming the appointment of a new Town Clerk, following a recommendation from the recruiting panel	Full Council
36	Recruitment of replacement of permanent staff (other than the replacement of Town Clerk) or temporary staff to cover long periods of absence	Accept resignation, provide details of notice and outstanding leave, and approve recruitment process	Assistant Town Clerk/Proper Officer
		Shortlisting and interviewing applicants	Appropriate line manager/Assistant Town Clerk/Proper Officer
		Appointment following recruitment process	Appropriate line manager/Assistant Town Clerk/Proper Officer
37	Recruitment of additional staff	Prepare job descriptions/person specs and obtain independent evaluation	Proper Officer
		Approval evaluation (salary scale) of newly created jobs, additional positions/restructures	Personnel Sub-Committee review, with recommendation to General Purposes Committee/Full Council
		Approve budget for staffing	Full Council as part of budget setting process or
		Approve and oversee recruitment process	Proper Officer
		Shortlisting and interviewing applicants	Appropriate line manager/Assistant Town Clerk/Proper Officer
		Appointment following the recruitment process	Appropriate line manager/Assistant Town Clerk/Proper Officer

38	Staffing	Authorise minor non-fiscal adjustments to contracts of employment and job descriptions to meet the needs of the Council.	Assistant Town Clerk/Proper Officer
		Take all decisions relating to the training of staff and Councillors	Proper Officer
		Authorise additional hours of work for existing staff on a temporary basis to support the business needs of the Council.	Assistant Town Clerk/Proper Officer
		Deal with all disciplinary matters and hearings in accordance with the Council's Disciplinary Policy, including suspending employees as deemed necessary.	Assistant Town Clerk/Proper Officer
		Enter into settlement agreements with employees up to a maximum of two months' salary where this is the prudent option for the Council.	Assistant Town Clerk/Proper Officer
39	Vehicles and equipment	To manage and oversee the maintenance, repair and servicing of the Council's motor vehicles and grounds equipment	Estates & Facilities Manager

3.0 Review

3.1 This Scheme of Delegation was reviewed by Full Council on 25 June 2024, subject to a resolution to support the preparation of this document at the Annual Statutory meeting of the Council on 20 May 2024.

3.2 The Scheme of Delegation will be reviewed by Full Council on an annual basis, at the Annual Statutory meeting of the Council, each May.

Signed by:

Town Clerk:

Town Mayor: