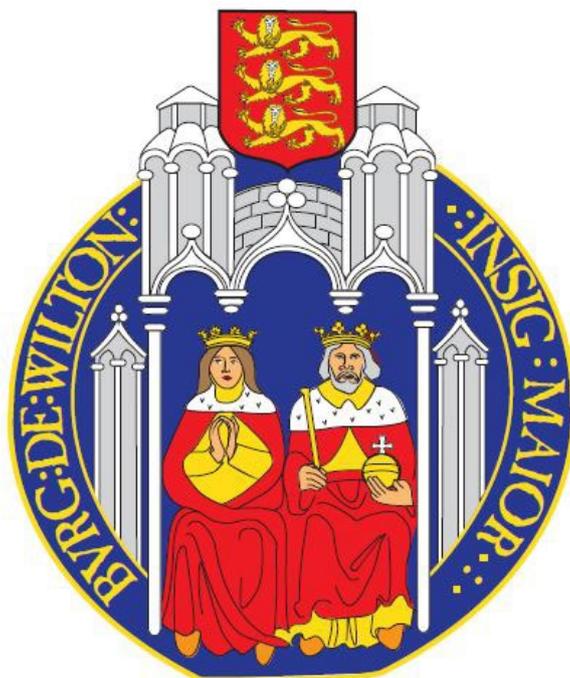


# Wilton Town Council



## Scheme of Delegation

### Document history

Status	Date	Adopted Date	Minute Ref	Summary of Changes
Original		9/02/26	FC274	Various - enhanced operational authority of Town Clerk and removal of staffing committee to align with Financial Regs
Revision 1				
Revision 2				
Revision 3				

**Next review date March 2027**

## **Wilton Town Council Terms of Reference and Scheme of Delegation for Committees and Officers**

### **1. Legal context**

- 1.1. 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.

### **2. Introduction**

- 2.1. This Scheme of Delegation authorises the Proper Officer, Responsible Financial Officer and Standing Committees to act with delegated authority in the specific circumstances detailed. It will be reviewed annually at the Annual Town Council Meeting.

### **3. Responsible Financial Officer**

- 3.1. The Town Clerk is designated and authorised to function as the Responsible Financial Officer.
- 3.2. The Responsible Financial Officer shall be responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

### **4. Proper Officer**

- 4.1. The Town Clerk is designated and authorised to function as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.
- 4.2. The Town Clerk is specifically authorised to:
  - receive and retain declarations of acceptance of office;
  - receive and record notices disclosing interests;
  - receive and retain planning applications and associated documents;
  - sign Notices or other documents on behalf of the Council;
  - receive copies of byelaws made by a principal local authority;
  - certify copies of byelaws made by the Council;
  - draw up agendas, usually after consultation with the Chair and Deputy;
  - sign summons for members to attend ordinary or extra ordinary meetings of the Council;
  - to function as the Council's designated officer for the purposes of the Freedom of Information Act 2000;
  - to institute and appear in any legal proceedings authorised by the Council.
- 4.3. The Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:
  - 4.3.1. manage all the Town Council's services and property, together with routine inspection in line with the budgets and policies approved by members;
  - 4.3.2. oversee the financial and administrative management of the Council, including:
    - audit and internal control;

- insurance and risk;
- Council assets;
- corporate governance;
- legal compliance;
- review Council policies and procedures and to make recommendations to the Council;
- review fees and charges and to make recommendations to the Council;
- keep under review maintain electoral arrangements, in line with legislation;
- seek to promote the local economy and support the economic development of the town;
- promote community safety;
- maintain strategic partnerships with local organisations and promote partnership working;
- to oversee the Council's property portfolio, leases, and assets and to oversee any negotiations with Wiltshire Council regarding the transfer of assets and services;
- promote community engagement and maintain effective communications;
- oversee the management, maintenance and safety of the cemetery, including burial responsibilities and to make recommendations to the Council; and
- oversee the management, maintenance and safety of all play areas and recreation grounds and to make recommendations to the Council; and
- oversee the grounds maintenance and civic amenities contracts;

4.3.3. In Consultation with Chair and Deputy, manage the Council staff in accordance with the Council's policies, procedures and budget, including:

- make appointments to temporary or permanent posts, where not reserved for appointment by Council, shall be subject to approval by the Council. This includes the establishment of new posts, any changes to posts or terms and conditions;
- staff performance and discipline;
- recommend salary increments for Council approval, in line with the terms of the contract;
- implement national pay awards and conditions of service in line with the National Joint Council Scheme of Conditions of Service (the 'Green Book') as amended by the Local Agreement;

4.3.4. delegate day to day management of functions and services to the relevant staff, in line with the approved duties of these posts;

4.3.5. respond immediately to any correspondence requesting information or relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council or a Committee;

4.3.6. authorisation of routine recurring expenditure within the agreed budget;

4.3.7. authorisation of expenditure as set out in the Financial Regulations i.e.:

- up to £2,500 or, in conjunction with the Chair or Deputy Chair of the Council, between £2,500 and £5,000 when such authority is evidenced by a minute.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 4.4. Actions delegated to the Town Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and in line with directions given by the Council from time to time. Use of the Clerk's delegated powers shall be reported to the next meeting of the Full Council.

## **5. Absence of the Town Clerk**

- 5.1. In the short-term absence of the Town Clerk, the most senior member of staff (if qualified) shall be authorised to deputise and undertake any of the functions of that post.
- 5.2. In the event of long-term absence of the Town Clerk, the Chair in consultation with the Council, will appoint a temporary locum who shall be authorised to deputise and undertake any of the functions of that post.

## **6. Urgent Matters**

- 6.1. Subject to consultation with either the Chair or Deputy Chair, the Town Clerk is authorised to act on behalf of the Council on any matter where urgent action is needed to protect the interests of the Town Council.
- 6.2. Before the Clerk exercises the delegated power, in paragraph 6.1, the Councillor consulted shall consider whether the matter justifies summoning an Extra-ordinary Meeting of the Council.
- 6.3. Whenever any action is taken in this way, full details of the circumstances justifying urgent action shall be submitted in writing to the next available Council meeting.

## **7. FULL COUNCIL - Matters Reserved for Full Council**

- 7.1. All members of the Council will meet once a month or in the case of urgent business an Extra Ordinary Full Council will be scheduled.
- 7.2. Quorum 4.
- 7.3. Matters relating to Governance including;
  - 7.3.1. adopting changes to the Council's Standing Orders, Financial Regulations, Powers and Duties of Committees, Code of Conduct and confirmation that the Council has satisfied the statutory criteria to exercise the General Power of Competence;
  - 7.3.2. adopting material changes to the Council's policy framework such as any Corporate Governance, Risk Management and Health and Safety;
  - 7.3.3. making, amending, revoking, re-enacting, or adopting byelaws and promoting or opposing the making of local legislation; and
  - 7.3.4. approval of leases and licences.

## **8. Matters relating to Finance:**

- 8.1. approving and adopting matters relating to:

- the Council’s budget and the level of its precept;
- finance, including the recommendation of the approval of the
- year-end accounts and approval of the annual return (Statement of Accounts);
- internal audit;
- borrowings;
- the incurring of expenditure not provided for within the approved budget or otherwise permitted under the Council’s financial regulations;
- the grounds maintenance and civic amenities contracts;;
- grants and donations;
- procedures on earmarked reserves, budgeting and virement rules.
- community development, safety or economic development responsibilities; and
- festival and events provisions.

**9. Matters relating to Democracy:**

- 9.1. democratic representation - appointing Council representatives to outside bodies.

**10. Matters relating to Staff:**

- 10.1. approving the appointment of the Town Clerk and all staffing matters (other than those delegated to the Town Clerk); and
- 10.2. approving the appointment or dismissal of all Council staff.

**11. Matters relating to facilities and amenities**

- 11.1. Approving and adopting matters relating to the safety and management of facilities, street scene, parks and open spaces, which are:
- Bulbridge, Minster Street and Wishford Road recreation grounds and associated play equipment, benches and shelters;
  - Castle Meadow recreation ground including the sports pavilion, outdoor gym and sports pitches;
  - Churchyard at St Mary’s old church;
  - the cemetery;
  - areas of responsibility in Wilton Market Square;
  - South Street car park;
  - Christmas tree and lights;
  - hanging baskets and planters;
  - public toilets in Greyhound Lane;
  - Council owned bus shelters;
  - tennis courts
  - Council owned bins and benches; and
  - cemetery

## **12. Matters relating to Planning and Highways**

- 12.1. To comment on and make recommendations regarding all planning, highways and parking issues within the town, such as:
- licensing matters received from the local licensing authority;
  - Street naming when requested;
  - waiting restrictions within the town.
  - policies relating to planning matters; and
  - planning applications

## **13. Other Matters**

- 13.1. Considering and, where appropriate, approving matters relating to:
- promoting community development through grants and financial assistance;
  - promoting the health and wellbeing of residents in the town;
  - promoting sports and leisure opportunities;
  - promoting walking and cycling ;
  - flooding and emergency planning;
  - biodiversity initiatives.
  - festivals and public events
- 13.2. All other matters which must, by law, be reserved to the full Council.

## **14. Advisory Committees and Working Groups**

- 14.1. An Advisory Committee or Working Group may be formed by resolution of Full Council at any time.
- 14.2. The work of such an Advisory Committee or Working Group will be decided upon at the time it is formed and recorded by means of a minute, detailing its terms of reference which specify the purpose of the advisory committee or group, its membership, frequency of meetings, accountability, reporting procedure and areas of interest.
- 14.3. Advisory Committees and Working Groups will report and present recommendations to Full Council.
- 14.4. The Terms of Reference for each of the Council's Advisory Committees shall be published on the Council's website and reviewed annually.
- 14.5. Advisory Committees shall always act in accordance with the Council's Standing Orders and Financial Regulations and where applicable, any other rules, regulations, schemes, statues, byelaws or orders made as well as with any directions given by the Council.
- 14.6. No individual Councillor may be given delegation to act in a way that binds the Council to a decision, expenditure or policy position.