

**WILTON TOWN COUNCIL**  
*Ancient Capital of Wessex*



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# **WILTON TOWN COUNCIL**

## **Scheme of Delegation and Terms of Reference for Committees**

Originally adopted by Wilton Town Council on 14<sup>th</sup> May 2019, Minute ref 71.19

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## **Introduction**

### **Legal context**

Under s101 (1), (5) and (6) of the Local Government Act 1972, a parish or town Councils may arrange for any of its functions to be discharged by a committee, sub-committee or officer.

### **The purpose of this document**

This Scheme of Delegation and Terms of Reference sets down how decisions are made by Wilton Town Council and which Committees and officers are responsible for certain decisions and budgets.

### **Matters reserved to the Full Council**

1. The following matters are reserved to the Full Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations for Wilton Town Council's consideration:
  - (a) setting the Town Precept and adopting the Budget;
  - (b) approving any virement between budgets exceeding £2,000;
  - (c) borrowing money;
  - (d) setting fees and charges;
  - (e) making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation;
  - (f) making, amending or revoking by-laws;
  - (g) making of orders under any statutory powers;
  - (h) matters of principle or policy;
  - (i) nomination and appointment of representatives of Wilton Town Council to any other authority, organisation or body (excepting approved conferences or meetings);
  - (j) any proposed new undertakings;
  - (k) prosecution or defence in a court of law;
  - (l) nomination or appointment of representatives of Wilton Town Council at any inquiry on matters affecting Wilton, excluding those matters specific to a Committee;
  - (m) the adoption of a Neighbourhood Plan (if applicable);
  - (n) appointment or dismissal of all Wilton Town Council staff;
  - (o) promotion of community development through grants and financial assistance.

### **Committees in general**

2. Wilton Town Council has established the following Committees for the purposes of efficient decision making:
  - (a) Policy and Resources Committee (previously Finance & General Purposes)
  - (b) Environment and Amenities Committee (previously Amenities & Planning)
  - (c) Staffing Committee
3. The Mayor and Deputy Mayor shall be ex-officio members of all Committees.
4. The following functions shall be common to all Committees:
  - (a) responsibility for drafting its annual budget and submitting it to the Budget Working Group (subject to adoption by the Full Council);
  - (b) to assess and budget for future maintenance, replacement or upgrading of items for which it is responsible;
  - (c) monitoring its annual budget to avoid over/underspends;
  - (d) to recommend that funds are set aside or 'ear-marked' for larger items of expenditure or future commitments;

- (e) to authorise expenditure in accordance with the budget adopted by Wilton Town Council;
- (f) approving virements within its approved budget up to a maximum of £2,000 per item;
- (g) to keep under review those matters within its Terms of Reference including the policies and procedures adopted by Wilton Town Council;
- (h) to expedite decisions in accordance with Wilton Town Council's ambitions and objectives;
- (i) to submit comments on planning applications.

### **Policy & Resources Committee**

5. The Committee shall be appointed by the Mayor and Deputy Mayor and consist of a maximum of 6 members (plus the Mayor and Deputy Mayor). The Committee shall have the following delegated functions:

- (a) To oversee the financial and administrative management of Wilton Town Council, including:
  - i. Audit and Internal Control
  - ii. Insurance and Risk
  - iii. Council Offices
  - iv. Corporate Governance
  - v. Legal Compliance.
- (b) to establish a Budget Working Group, comprising the Mayor, Deputy Mayor and a representative from each Committee, for the purpose of setting the annual budget of Wilton Town Council;
- (c) to review Wilton Town Council policies and procedures and to make recommendations to Wilton Town Council thereon;
- (d) to review fees and charges and to make recommendations to Wilton Town Council thereon;
- (e) to keep under review electoral arrangements;
- (f) to seek to promote the local economy and support the economic development of Wilton;
- (g) to promote community safety and address crime, disorder and anti-social behaviour;
- (h) to maintain strategic partnerships with local organisations and to promote partnership working;
- (i) to oversee the preparation and adoption of the Wilton Neighbourhood Plan (if applicable);
- (j) to oversee Wilton Town Council's property portfolio, leases and assets and to oversee any negotiations with Wiltshire Council regarding the transfer of assets and services;
- (k) to promote community engagement and maintain effective communications.

### **Environment and Amenities Committee**

6. The Committee shall be appointed by the Mayor and Deputy Mayor and consist of a maximum of 6 members (plus the Mayor and Deputy Mayor) and shall have the following delegated functions:

- (a) to manage the services and amenities provided by Wilton Town Council, including:
  - i. Bulbridge, Minster Street and Wishford Road Recreation Grounds and associated play equipment, benches and shelters;
  - ii. Castle Meadow Recreation Ground and Sports Pavilion;
  - iii. Old St Mary's Churchyard;
  - iv. The Cemetery;

- v. Market Place and South Street car parks;
- vi. Christmas Tree and Lights;
- vii. Market Place hanging baskets and tubs;
- viii. Public toilets in Greyhound Lane;
- ix. Bus Shelters.

- (b) to manage the grounds maintenance and civic amenities contracts;
- (c) to operate and maintain the cemetery, burial responsibilities and associated duties;
- (d) to promote the health and wellbeing of residents in Wilton;
- (e) to promote sports and leisure opportunities;
- (f) to be responsible for transport and highways matters;
- (g) to promote walking and cycling and to be responsible for footpaths and cycleways;
- (h) to be responsible for flooding and emergency planning;
- (i) to be responsible for green initiatives, including biodiversity, sustainability, climate change, litter, trees and wildlife areas;
- (j) to promote and be responsible for the Wilton in Bloom campaign (if applicable);
- (k) to be responsible for festivals and public events promoted by Wilton Town Council (including the Christmas Lights).

### **Staffing Committee**

7. The Committee shall be appointed by the Mayor and Deputy Mayor and will consist of a maximum of 5 members (including the Mayor and Deputy Mayor) and have the following delegated functions:
- (a) to deal with personnel matters including those allocated to the Committee by Wilton Town Council's Grievance and Disciplinary Procedures;
  - (b) to operate Wilton Town Council's flexible working policy and to consider requests received from staff;
  - (c) to recommend to Full Council the appointment of all staff;
  - (d) to determine and review their Terms and Conditions of Employment;
  - (e) to undertake an annual salary review for Wilton Town Council employees, giving due regard to staff development and National Association of Local Council guidelines;
  - (f) to oversee the performance of staff and undertake an appraisal of the Town Clerk as necessary;
  - (g) to review and recommend training of staff and members as appropriate, in order for them to fulfil their duties;
  - (h) to prepare a staff induction and training programme for new Wilton Town Councillors.

### **Town Clerk and Responsible Financial Officer**

8. The Responsible Financial Officer to Wilton Town Council shall be responsible for Wilton Town Council's accounting procedures in accordance with the Accounts and Audit Regulations.
9. The Town Clerk shall be the Proper Officer of Wilton Town Council and as such is specifically authorised to:
- (a) receive declarations of acceptance of office;
  - (b) receive and record notices disclosing personal and prejudicial interests;
  - (c) receive and retain plans and documents;
  - (d) sign notices or other documents on behalf of Wilton Town Council;
  - (e) receive copies of by-laws made by the unitary authority;
  - (f) certify copies of by-laws made by Wilton Town Council;
  - (g) sign summonses to attend meetings of Wilton Town Council.
10. In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of Wilton Town Council:

- (a) day to day administration of services, together with routine inspection and control;
- (b) day to day supervision and control of all staff employed by Wilton Town Council;
- (c) authorisation of routine expenditure within the agreed budget;
- (d) emergency expenditure up to £2000 or in accordance with Wilton Town Council's Statement of Internal Control (paragraphs 8.2 and 8.3).

11. 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 Wilton Town Council from time to time.

### **Other Committees, Sub-Committees or Working Groups**

12. Other Standing Committees, and Sub-Committees may be formed by resolution of Wilton Town 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.
13. Working Groups may be formed by resolution of Wilton Town Council or a Committee at any time. The work of such a Working Group will be decided upon at the time it is formed by means of a minute detailing the terms of reference.
14. Each Working Group will report back with recommendations to Wilton Town Council or the Committee that formed it.

### **Urgent Matters**

15. In the event of any matter arising which requires an urgent decision, the Town Clerk shall consult with the Mayor and the Chair of the appropriate Committee, or their deputies. With their written agreement, the Clerk shall have delegated power to act on behalf of Wilton Town Council in respect of the particular matter then under consideration.
16. Before exercising the delegated powers granted by paragraph 15 above, the Town Clerk and those members consulted shall consider whether the matter is of sufficient importance to justify the summoning of a special meeting of the appropriate committee and where a meeting is so summoned the committee concerned shall have delegated power to act on behalf of Wilton Town Council in respect of the particular matter then under consideration.
17. Before exercising the delegated powers granted by paragraph 15 above, the committee concerned shall consider whether the matter is of sufficient importance to justify recommending to the Mayor that a special meeting of Wilton Town Council should be called.
18. Any action taken under paragraph 15 above must be recorded in writing and made available for inspection by any member of Wilton Town 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 Wilton Town Council.

### **Delegation – Limitations**

Committees and Sub-Committees shall, at all times, act in accordance with Wilton Town 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 Wilton Town Council.