

Yateley Town Council

Delegation Policy



1. INTRODUCTION

This This Scheme of Delegation sets out the powers available to a Town Council to delegate powers and the way in which Yateley Town Council will utilise these powers in accordance with the law. This Scheme is not comprehensive as it is also subject to the Council's Standing Orders, Financial Regulations, and Statement of Internal Controls.

The power to delegate functions is set out in the Local Government Act 1972 s101. The Town Clerk is defined as the Proper Officer who will carry out functions provided by the Local Government Act 1972 and the Responsible Finance Officer in accordance with the Accounts and Audit Regulations.

The intention of the delegation scheme is to allow the Council to act with all reasonable speed and take decisions at the most suitable level. Therefore, the Town Clerk is given powers over the day-to-day administration of the Council, and Committees will determine matters within their terms of reference.

This scheme of Delegations authorises the Proper Officer and Responsible Financial Officer, Standing Committees, and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed below. In the absence of the Proper Officer, the delegated authority is passed to the Deputy Town Clerk in consultation with the Chairman of Finance & Policy Committee.

2. RESPONSIBLE FINANCIAL OFFICER

The Town Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the management of the Council's financial affairs and is specifically authorised to:

- Carry out the Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.
- Administer the Council's Financial Regulations and submit revisions to the Council for approval.
- Manage the Council's financial affairs.
- Report to the External Auditor matters under the Local Government Finance Act 1988 s114.
- Ensure compliance with Financial Regulations and all financial procedures.
- Determine accounting policies, records, and control systems.
- Arrange and manage the Council's insurance arrangements.
- Manage Council salaries in accordance with contracts of employment.
- Manage risk management of the Council.
- Execute matters specifically delegated by the Council or Committee.

3. PROPER OFFICER

The Town Clerk shall be the Proper Officer of the Council and is specifically authorised to:

- Receive declarations of acceptance of office.
- Receive and record notices disclosing pecuniary interests.
- Receive and retain plans and documents.
- Sign notices or other documents on behalf of the Council.
- Receive copies of Bye-laws made by a principal authority.
- Certify copies of Bye-laws made by the Council.
- Sign summons to attend meetings of the Council.

In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- The day-to-day administration of services, facilities, and assets together with routine inspection and control.
- The recruitment and day-to-day supervision and control of all the staff employed by the Council.
- Authorisation of routine expenditure within the agreed budget up to agreed authorisation limits.
- To institute, defend, and appear in any legal proceedings authorised by the Council.
- To appear or make representations to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the residents of Yateley).
- To grant dispensations under sections 33(1) and 33(2) of the Localism Act 2011.
- To instruct bailiffs immediately in the event of an illegal encampment.
- To manage the response to any correspondence requiring or requesting information relating to previous decisions of the Council, but not requiring an opinion to be taken by the Council or its Committees.
- Managing requests for information under the Freedom of Information Act 2000 and the General Data Protection Regulations, in consultation with the Chair or Vice Chair.
- Overseeing the updating and management of the Council's website and social media accounts by the Communications Officer.
- Coordinating the content and publishing the Council's newsletters and press statements, in consultation with the relevant Chairs and the Communications Officer.
- Managing the disposal of Council records according to legal restrictions and the Council's Document Retention Policy.
- Preparation and submission of comments to consultations or correspondence where the Council's policy stance is known.
- Preparation and submission of comments to Planning Applications where a deadline falls before the next available Planning & Development Committee and in consultation with the Committee.

- Authority to liaise with third parties and invite representatives to Council or Committee meetings which are of interest to agreed Council policies, services, or projects.
- Take appropriate actions arising from emergencies as required to provide business continuity and respond to urgent health & safety matters, in consultation with the Chairman of Finance & Policy Committee.
- Authority to allow community organisations use of Council's assets or facilities for activities which support the Parish, Council's activities, and services.
- Authority to take immediate action on any incident which poses an immediate health & safety risk or damage to any council personnel or asset.
- Authority to deal with any Council matter during national crisis or emergency which prevents the Council from holding lawful Council meetings. Any decision will be taken in consultation with at least two Councillors, normally the Chair of the Council and the relevant Committee Chair. This authority does not extend to matters which must lawfully be decided by full Council.

4. STANDING COMMITTEES AND SUB-COMMITTEES

Standing Committees and Sub-Committees of the Council are authorised to:

- Make decisions within their terms of reference.
- Manage budgets allocated to them by the Council.
- Oversee specific projects and initiatives as delegated by the Council.

5. REVIEW AND AMENDMENT

This Delegation Policy shall be reviewed annually to ensure it remains effective and relevant.

Amendment Record

Version 1: Agreed 07.04.25

Version 2: Agreed 11.05.26

Due for Review: April 2027