



## **Poynton Town Council Scheme of Delegation to Council, Committees and Officers**

This Scheme of Delegation authorises the Proper Officer and Responsible Finance Officer (which may be one and the same person), Standing Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed.

### **Delegation to Committees and Sub-Committees**

#### **Council**

Lead officer – Town Clerk

The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations for the Council's consideration.

1. Approval of budget and setting the precept.
2. Approval of the Annual Return and audit of accounts.
3. Authorisation of borrowing.
4. The power of incurring capital expenditure not specifically included in the Council's annual budget.
5. Adopting or changing all policies including Standing Orders, Financial Regulations and the Scheme of Delegation.
6. Making of orders under any statutory powers.
7. Making, amending or revoking by-laws.
8. Appointment of standing committees.
9. Filling of vacancies occurring on any committee of the Council during the council year.
10. The appointment to or co-option on a committee or sub-committee of a person (on a strictly non-voting basis) who is not a member of the council or the committee.
11. Appointing or nominating council representatives to outside bodies.
12. Matters of principle or policy.
13. Agreement to take on new, including devolved services, subject in all cases to a fully costed business plan, to be recommended by the Finance and General Purposes Committee.
14. Decision to create, approve or review the Area Neighbourhood Plan.
15. Prosecution or defence in a court of law other than an employment tribunal or fixed penalty notice.

16. Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.
17. The appointment or dismissal of the Town Clerk.
18. Dismissal of members of staff.
19. Dates of meetings of the Council.
20. All other matters which must, by law, be reserved to the full Council.

## **Delegation to Committees**

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. The delegated decision making by Committees must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget. Where they are delegated to the Committee, so far as is legally permissible, they be deemed the acts and proceedings of the Council.

The Council may at any time, following resolution, revoke any delegated authority, without prejudice to executive action already taken.

Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly where a Committee has no delegated power to make a decision it makes a recommendation to Council.

The Council and each Committee is authorised to establish sub-committees and working groups, and to appoint advisers as and when necessary to assist in its work. The remit of a working group will be decided upon at the time it is formed and the Parent Committee will approve a remit. Each working group will report back with recommendations to the Council or the Committee that formed it.

## **Finance and General Purposes Committee**

Lead Officer – Town Clerk

The Finance and General Purposes Committee shall be delegated to make decisions on behalf of the Council in the following matters:

1. Approval of its minutes as true and correct records.
2. Ensuring the Annual Return (Statement of Accounts) is completed in accordance with requirements and recommend to Council accordingly.
3. All other matters relating to finance (excluding the setting of a precept or any amount to be borrowed and also excluding the approval of unbudgeted capital expenditure).
4. Budget monitoring, taking action where required to vire (transfer) unspent provision to ensure that the overall budget strategy is maintained.
5. Approval of expenditure on items within the Committee's area of responsibility and included in the approved council budget up to the amount specified in the budget (up to a maximum of £10,000).
6. All matters relating to internal and external audit. To ensure that an adequate and effective system of internal controls is in place to secure the integrity of finances and any other information, including the introduction of effective systems of risk management, and consideration of and action on all reports emanating from the internal and external auditors.
7. To ensure the preservation of probity and good financial and other practices within the Council, including accountability for debt monitoring and recovery.
8. To review the Town Council's insurance cover.
9. To recommend to the Town Council the risk management strategy.
10. Electoral matters.
11. The maintenance of a fixed asset register covering all items purchased exceeding £500. The safe custody and upkeep of all assets and objects of interest or value in the ownerships or custodianship of the Council.
12. The maintenance and safe custody of the civic regalia.
13. Corporate management, council administration and policy.
14. To make recommendations to Council on the review of the Council's Financial Regulations.
15. To make recommendations to Council on the budgets of the committee, all committees and to recommend an annual precept to the Town Council.
16. To approve the scale of charges in the context of the income and expenditure requirements of the Council.
17. Acting as lead Committee in respect of any partnership initiative of a corporate nature with Cheshire East Council or any other public bodies, making recommendations on terms of reference and constitutional matters.

18. To oversee twinning matters.
19. To consider and award contracts for work.
20. Any other matter which may be delegated to it by the Council from time to time.

## **Planning and Environment Committee**

Lead Officer – Town Clerk

The Planning and Environment Committee shall be delegated to make decisions on behalf of the Council in the following matters:

1. Approval of its minutes as true and correct records.
2. To prepare an annual draft budget that is sufficient to fund the Committee's priorities, objectives and activities, and to have outline spending plans for any accumulated Earmarked Reserves.
3. To make observations on all planning, licensing applications and consultations, and submit those observations to the appropriate authority. When necessary, hold meetings with residents, developers or planning officers to assist with the formulation of those observations.
4. To receive, and where appropriate, respond to notifications of planning appeals.
5. To monitor and take appropriate action on planning issues in the neighbouring areas that could impact on the Town.
6. To monitor and take appropriate action on new road schemes concerning the Town.
7. To identify, comment upon and refer to the relevant authorities any matters considered to be in breach of planning permission.
8. To comment upon and monitor Tree Preservation Orders and to seek approval for further TPO's if deemed necessary.
9. Street naming.
10. To respond to all consultations and to take part in any discussions which could result in changes to the Cheshire East Local Plan, Planning Policy Statements, Town & Country Planning Act etc.
11. The Planning Committee will consider all applications in a consistent manner, including those submitted by or on behalf of members of the Council or on behalf of the Council itself.
12. To respond to and take appropriate action on any environmental issues affecting Poynton (e.g. fly tipping, air monitoring, bin collections).
13. To prepare environmental policies for the Town Council.
14. To consider and comment on any environmental issues that affect the Town.
15. To keep the Poynton Neighbourhood Plan under review.
16. To authorise spending that the Committee is responsible for up to the individual budget line but to a maximum of £10,000.
17. To take action with regard to any other planning or environmental issues not specified above.
18. Any other matter which may be delegated to it by the Council from time to time.

## **Facilities Infrastructure and Economic Development**

Lead Officer – Town Clerk

The Facilities, Infrastructure and Economic Development Committee shall be delegated to make decisions on behalf of the Council in the following matters:

1. Approval of its minutes as true and correct records.
2. To prepare an annual draft budget that is adequate to fund the Committee's priorities, objectives and activities, and to have outline spending plans for accumulated Earmarked Reserves.
3. Liaison with Cheshire East Council and utility companies on issues such as highway projects and maintenance, street lighting, gritting, clearing gullies and culverts and tree maintenance.
4. To oversee the management of all the Town Council's property and assets, including the Civic Hall, the Town Council owned parks and areas of Prince's and Lady's Inclines, noticeboards, benches and bus shelters.
5. Management of the Coppice Road Allotments, in conjunction with the Coppice Road Allotments Association.
6. To oversee the management other areas managed but not owned by the Town Council.
7. To consider the acquisition or disposal of assets and recommend.
8. Enforcing the byelaws that govern the use of Poynton's parks and open spaces.
9. Liaison with Cheshire East on open spaces.
10. The maintenance of street lights owned by the Town Council.
11. To make recommendations to Council on matters of a strategic nature including parking strategies.
12. To maintain links with the Poynton business community and to initiate and participate in economic development initiatives.
13. The promotion of Poynton's visitor economy.
14. To undertake an annual review of the Community Resilience Plan.
15. Liaison with Poynton In Bloom.
16. To review the work of the Operations Manager and to monitor the Operations Issues Log.
17. To take action with regard to any other issues concerning facilities, infrastructure, and economic development not specified above.
18. To ensure that all works carried out on the Council's properties have due regard to Health and Safety, Disability Discrimination Act and comply with all legislation in terms of public safety.
19. To ensure the co-ordination of an effective culture of health and safety throughout the Council in order to ensure compliance with the HASAW Act 1974 and other legislation, liaising as appropriate with other committees.

20. To authorise spending that the Committee is responsible for up to the individual budget line but to a maximum of £10,000.
21. Any other matter which may be delegated to it by the Council from time to time.



## **Community Order and Public Safety Committee**

Lead Officer – Town Clerk

The Community and Environment Committee shall be delegated to make decisions on behalf of the Council in the following matters:

1. Approval of its minutes as true and correct records.
2. To prepare an annual draft budget that is sufficient to fund the Committee's priorities, objectives and activities, and to have outline spending plans for any accumulated COPS Earmarked Reserves.
3. To consider, and take actions or make provision for the prevention, deterrence and detection of any form of crime and disorder - either directly or in support of other councils, agencies, the emergency services and individuals.
4. To monitor and review the work of the Council Community Support Team.
5. To liaise with Cheshire Police regarding all policing matters in Poynton.
6. To monitor and review the provision of the CCTV network, and to consider the regular reports on CCTV monitoring provided by Cheshire East.
7. To be responsible for the Town Council's process for the issuing of fixed penalty notices and all legal issues relating to the work of the Council Community Support Team.
8. Co-ordination of any Town Council community safety initiatives.
9. To consider, and when and where necessary to take actions or make provision to enhance the safety and wellbeing of residents - either directly or in support of other councils, agencies, the emergency services and individuals.
10. To monitor and review the work of the Communities Co-ordinator including involvement with outside organisations and partnerships.
11. To monitor and promote the Town Council's Poynton Easy Access Scheme (PEAS).
12. To monitor the service provided by the Citizens Advice outreach service in Poynton.
13. To consider bids for Town Council Community Grants and funding for Town Council-led community events.
14. To be responsible for the Town Council's communications and communications strategy.
15. To take action on any other community, order or public safety issues not specified above.
16. To authorise spending that the Committee is responsible for up to the individual budget line but to a maximum of £10,000.
17. Any other matter which may be delegated to it by the Council from time to time.

## **Management and Establishment**

The Management and Establishment Committee shall be delegated to make decisions on behalf of the Council in the following matters:

This Committee is made up of the Chairmen of the Finance and General Purposes Committee, Facilities Infrastructure and Economic Development Committee, Planning and Environment Committee and Community and Public Safety Committee plus up to four other members chosen by the Council.

1. To develop and review the Town Council's Strategic Plan.
2. To ensure that the Town Council's strategic policies and procedures are undertaken in accordance with statutory and legislative requirements.
3. To monitor and regularly review the Town Council's Business Continuity Plan.
4. To be responsible for the Town Council's Annual Report.
5. To consider and approve nominations for the annual Civic Awards.
6. To ensure the induction and training of new councillors, including both external and internal training.
7. To record and monitor fund-raising from the Mayor's activities and to manage administrative support for the Mayoral activities.
8. To work with the Town Clerk to ensure that the Town Council is staffed sufficiently to provide for the effective operation of the Town Council and the Civic Hall.
9. To recruit and appoint members of staff including drafting job descriptions, person specifications and contracts of employment.
10. To monitor staff workloads, working conditions, work/life balance and wellbeing.
11. To establish a Performance Management/Appraisal policy for all members of staff.
12. To review terms and conditions of service, pension provisions, job descriptions, person specifications and contracts of employment.
13. To carry out an annual review of salaries including job re-grading.
14. To carry out staffing reviews subject to ratification by the Town Council.
15. To approve the procedures for dealing with discipline and grievances and all staffing policies.
16. To conduct the Performance Management /Appraisal of the Town Clerk.
17. The Chair and Vice Chair acts as the line manager in all matters relating to the Clerk. In the absence of one or both then another member/s of the Committee would be co-opted to act as line manager/s.
18. To review the Town Council's Standing Orders.
19. To administer the Town Council's Internal Complaints Procedures.

20. To take action with regard to any other issues concerning staffing and all management of Poynton Town Council not specified above.
21. To be responsible for all aspects of reviewing Health and Safety policy and monitoring health and safety incidents.
22. To authorise spending that the Committee is responsible for up to the individual budget line but to a maximum of £10,000.

### **Delegation to Officers**

#### **Responsible Finance Officer**

The Town Clerk shall be the Responsible Finance Officer to the Council and shall be responsible for the Town Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

#### **Proper Officer**

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

1. Receive declarations of Acceptance of Office;
2. Receive Registers of Members' Interests;
3. Serve on councillors, at least three clear days before a meeting of the Council, a committee or a sub-committee, by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and provide, in a conspicuous place, public notice of the time, place and agenda;
4. Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
5. Keep proper records for all meetings;
6. Receive and retain plans and documents;
7. Sign notices or other documents on behalf of the Council;
8. Receive and retain copies of byelaws made by other local authorities;
9. Certify copies of byelaws made by the Council;
10. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
11. Receive from Cheshire East's Monitoring Officer any documents in relation to complaints received under the Members' Code of Conduct and report this at the next convenient meeting of the Council.

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

1. The day to day administration of services, together with routine inspection and control.
2. Manage all council staff, either directly or indirectly.

3. Authorisation of routine expenditure up to £2500 within the agreed budget.
4. Emergency expenditure up to £500 outside the agreed budget.
5. Act on behalf of the Council in an urgent situation and report back to the Council as soon as practicable.
6. Authorisation to call any extra meetings of the Council or any Committee as necessary, having consulted with the Mayor and/or the Chairman of the appropriate Committee.
7. Authorisation to respond immediately 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.
8. Manage the provision of Council services, buildings, land and resources (indirectly where service managers have delegated responsibility).
9. Deal with matters specifically delegated by Council or Committee.
10. Responsible for the overall management of all budgets in accordance with Council policies.
11. Authorised to issue press releases on any Council activity exercised in accordance with Council policy.
12. Editorial control of the Council's website and social media.
13. 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 the Council from time to time.