



# **Minehead Town Council**

## **Scheme of Delegation**

*Adopted:*

# 1. Introduction

1.1 Minehead Town Council (“the Council”) may arrange for the discharge of its functions by a committee, sub-committee, or by an officer in accordance with the Local Government Act 1972 s101.

1.2 The Council appoints a Town Clerk as Proper Officer for all statutory purposes.

1.3 The Council appoints a Responsible Financial Officer (RFO) who is responsible for the proper administration of the Council’s financial affairs. The RFO may act as Deputy Clerk when required.

1.4 This Scheme sets out:

- which matters must be decided by Full Council
- which matters are delegated to Committees
- which matters are delegated to the Town Clerk and RFO

1.5 The Scheme will be reviewed at least annually or sooner if governance or staffing changes require it.

## 2. General Principles

2.1 Delegated authority must be exercised in accordance with:

- legislation
- Standing Orders
- Financial Regulations
- approved policies
- agreed budgets

2.2 Delegated authority does not remove the duty to keep Members informed of significant issues.

2.3 Council may withdraw delegation at any time.

2.4 Any breach or deviation from this Scheme must be reported to Full Council with explanation.

## 3. Matters Reserved for Full Council

The following matters cannot be delegated:

- Election of the Mayor and Deputy Mayor
- Adoption or amendment of Standing Orders, Financial Regulations, this Scheme of Delegation and Council policies
- Approval of the annual budget and precept
- Approval of the AGAR
- Strategic priorities and major projects
- Borrowing or long-term financial commitments
- Decisions exceeding or altering any budget line
- Land and building acquisition, disposal, lease or transfer
- Appointments to committees and outside bodies
- Any decision required by law to be taken by Full Council

## **4. Delegation to Committees**

The Council appoints the following committees:

- Finance & General Purposes Committee (F&GP)
- Planning & Licensing Committee
- Staffing Sub-Committee

This Scheme of Delegation sets out the overarching framework of Council, committee and officer authority. For detailed information on the specific duties, responsibilities, and limitations of each committee, this Scheme should be read alongside that committee's Terms of Reference (TORs).

### **4.1 Finance & General Purposes Committee (F&GP)**

#### **Purpose**

To oversee finance, internal controls, audit, governance, grants, policies and operational matters referred by Council.

#### **Delegated Authority**

F&GP is authorised to:

- monitor and manage the Council's finances
- oversee internal control systems
- administer grants under the approved policy
- oversee procurement and contract management in line with financial regulations
- review and recommend policies
- lead annual budget preparation

#### **Financial Delegation**

- May authorise expenditure up to £2,000 exc. VAT, provided the relevant budget line is not exceeded.
- May approve grant applications up to £500 per applicant.
- May recommend larger expenditure or grant applications to Full Council.

## **Restrictions**

The Committee may not:

- incur expenditure above £2,000 exc. VAT
- Approve any grant application exceeding £500
- cause any budget line to be exceeded
- award contracts above the tender threshold
- approve new services, assets, or projects not previously budgeted

## **4.2 Planning & Licensing Committee**

### **Purpose**

To determine the Council's responses to planning and licensing applications and consultations.

### **Delegated Authority**

The Committee may:

- Determine the Council's response to planning applications of all types
- Respond to licensing applications
- Comment on planning enforcement matters
- Respond to Tree Preservation Order and Conservation Area consultations
- Respond to Local Plan and development policy consultations
- Make representations on planning appeals
- Respond to highways consultations affecting planning matters

### **Financial Delegation**

- May authorise expenditure up to £800, within relevant approved budgets.

## **Restrictions**

The Committee may not:

- exceed the £800 limit
- exceed its approved budget lines
- commit to professional consultancy or legal costs without Full Council approval
- award or enter contracts

## **4.3 Staffing Sub-Committee**

### **Purpose**

To oversee staffing matters, including recruitment, performance management, structure, HR policies, and staff welfare.

### **Delegated Authority**

The Sub-Committee is authorised to:

- Conduct recruitment and make appointment recommendations
- Oversee appraisals and performance management
- Handle grievance and disciplinary matters
- Review staffing structure and policies
- Commission occupational health assessments
- Approve routine HR-related operational actions

### **Financial Delegation**

- May authorise expenditure up to £800 on staffing-related costs within approved budgets, including:
  - training and CPD
  - recruitment advertising
  - occupational health
  - minor HR services

### **Restrictions**

The Sub-Committee may not:

- exceed £800 in any decision
- exceed staffing budgets
- change staffing levels or contractual terms without Full Council approval
- incur legal costs without referring to F&GP or Council

## **5. Delegation to the Town Clerk**

The Town Clerk is authorised to act on behalf of the Council in all matters except those reserved to Full Council or Committees. The Clerk may not make decisions of a policy nature.

### **5.1 Governance & Administration**

The Clerk may:

- Issue summonses and sign official notices
- Sign contracts and legal documents approved by Council
- Manage day-to-day operations of the Council
- Maintain all Council records
- Manage and supervise all staff
- Implement Council decisions and policies

## 5.2 Financial Delegation

The Clerk may:

- Incur expenditure within approved Clerk-managed budget areas
- Manage day-to-day financial operations
- Approve staff training within budget
- Manage procurement within the thresholds in Financial Regulations
- The Clerk will report any significant decisions made under delegated authority to the relevant committee

## 5.3 Emergency & Urgent Decisions

The Clerk may:

- Authorise emergency expenditure up to £5,000 (excl. VAT) where delay poses a serious risk to service delivery or public safety. (*e.g., public safety, safeguarding assets, preventing service failure*).
- Before proceeding, the Clerk must email all councillors with the issue, required action, and estimated cost, and may act once a quorum confirms support by return email.
- A quorum responded email does not constitute a lawful council meeting, it will act as authorisation to the Clerk under delegated powers, and the decision is to be ratified/recorded at the next meeting.
- The Clerk must notify the Chair as soon as possible after authorising the action.
- Report such actions to the next available meeting

## 5.4 Onward delegation

The Town Clerk and/or Deputy Clerk may, where appropriate, further delegate elements of their delegated authority to other members of staff for routine operational purposes. Such delegation must be within the limits of this Scheme, the Financial Regulations, and the approved budget, and accountability for decisions remains with the Town Clerk or Deputy Clerk.

## 5.5 Assets

The Clerk may:

- Manage and oversee use of Council assets
- Dispose of obsolete or unrepairable equipment with an individual value not exceeding £800, excluding land and buildings
- Maintain the asset register

## **5.6 Payment of Invoices**

- The Clerk may process and pay any invoice relating to expenditure that has already been approved by Full Council, a committee, or under delegated authority, as payment does not constitute new expenditure.
- Invoices that exceed the approved quoted or contracted amount must be referred back to Full Council (or the relevant committee) for further approval before payment.
- Payment under this delegation does not permit approval of additional expenditure, contract variations, or commitments beyond those already authorised.

## **6. Delegation to the Responsible Financial Officer (RFO)**

The RFO is authorised to:

- Manage accounting systems and financial controls
- Prepare financial statements and reports
- Manage payroll, VAT, bank reconciliation and financial returns
- Prepare the draft budget
- Manage year-end accounts and AGAR
- Provide financial advice to Council and Committees

When acting as Deputy Clerk, the RFO may exercise the Clerk's delegations.

## **7. Officers – Conflicts of Interest**

- Officers must declare any pecuniary interest in a Council contract (LGA 1972 s117).
- Officers must declare any personal, business, or financial interest that may conflict with their role.
- Officers must declare any secondary employment.
- Officers must not act where a conflict exists without written approval from the Town Clerk or Council.

## **8. Summary of Financial Delegations**

### **8.1 Committees**

<b>Committee</b>	<b>Delegated Budgets</b>	<b>Spending Authority</b>
Finance & General Purposes Committee	As allocated within approved budgets	May authorise expenditure up to £2,000 exc. VAT, within budget lines.
Planning & Licensing Committee	As allocated within approved budgets	May authorise expenditure up to £800, within relevant budget lines.
Staffing Sub Committee	Staffing & HR related budget lines	May authorise expenditure up to £800, within budget lines.

## 8.2 Officers

<b>Authority</b>	<b>Limit</b>	<b>Officer</b>
To incur day to day expenditure	<p>Within the following Cost Centre/Code budgets as set, with a single expenditure limit of £1,500 exc. VAT per transaction, of the total budget line where budget exists, unless otherwise stated:</p> <p>Governance and Administration</p> <ul style="list-style-type: none"> <li>Legal and Professional Fees</li> </ul> <p>Town Council Offices</p> <ul style="list-style-type: none"> <li>General Maintenance</li> </ul> <p>Depot Team</p> <ul style="list-style-type: none"> <li>Staff Training/Conferences</li> <li>Uniforms all clothing</li> <li>Safety Equipment / Signs</li> </ul> <p>Civic and Democratic</p> <ul style="list-style-type: none"> <li>Members' Travel/Training/IT</li> </ul> <p>Cemetery and Churchyard</p> <ul style="list-style-type: none"> <li>Refuse and Recycling</li> <li>Equipment</li> </ul> <p>Depots and Compound</p> <ul style="list-style-type: none"> <li>Refuse and Recycling</li> <li>General Maintenance</li> </ul>	Town Clerk and/or RFO



	<p>Vehicles, Plant and Equipment</p> <ul style="list-style-type: none"> <li>• Equipment Maintenance</li> <li>• Equipment</li> <li>• Vehicle Maintenance</li> </ul> <p>Community Centre</p> <ul style="list-style-type: none"> <li>• General Maintenance</li> </ul> <p>Open Spaces and Recreation</p> <ul style="list-style-type: none"> <li>• Playgrounds Maintenance</li> <li>• Tree Works</li> <li>• Alcombe Common Grant (<i>up to £9,000 of total budget</i>)</li> <li>• General Maintenance</li> </ul> <p>Community Services and Support</p> <ul style="list-style-type: none"> <li>• Christmas (<i>up to £5,000 of total budget</i>)</li> </ul> <p>Public Toilets</p> <ul style="list-style-type: none"> <li>• General Maintenance</li> <li>• Equipment</li> </ul>	
To incur emergency expenditure	< £5,000	Town Clerk and/or RFO

Where a cost centre or budget line is not specifically listed in this Scheme of Delegation, the officer delegated expenditure limit shall be £800 excluding VAT, in accordance with the Council's Financial Regulations.