



ANDOVER TOWN COUNCIL SCHEME OF DELEGATION

Date:

JULY 2025

Introduction

Andover Town Council's Scheme of Delegation is an essential policy to enable the Council to function efficiently and effectively. Without this every decision would need to be made by Full Council.

Decision making powers are given to the Proper Officer (Town Clerk/RFO) and Committees. Powers cannot be delegated to working parties or individual councillors. (Local Government Act (LGA) 1972, section 101)

This policy should be read in conjunction with Standing Orders, Financial Regulations, Standing Committee Terms of Reference and the Code of Conduct

Full Council

The following matters are dealt with by Full Council

- Approval of the budget and setting the precept
- Approval of the Annual Return and Audit of Accounts
- Authorisation to borrow
- Making of Orders under any statutory powers
- Making, amending or revoking by-laws
- Election of a Chairman
- Election of a Vice-Chairman
- Appointment of Committees
- Appointing Council Representatives to outside bodies
- Recruitment of the Clerk and RFO
- Matters relating to the Councils Code of Conduct
- Approval of the calendar of meetings
- Matters relating to use and eligibility of the General Power of Competence
- *Confirmation that the criteria for Council Accreditation has been met¹*
- To approve capital projects
- To approve expenditure over £5,000
- Creation and appointment of working groups that fall under Full Council.
- Revoke delegated responsibilities, following a resolution
- Submission of any planning application on behalf of the Council
- To approve the write-off of any debts
- To approve virements
- To approve supplementary budget requests that fall outside of the remit of Standing Committees and Officers
- To appoint an external auditor.

Officers

The Council may at any time, following resolution, revoke any authority delegated to officers. Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council.

¹ Not needed yet but with a hope that ATC will apply for a Council Award by the middle of next year.

Proper Officer (Town Clerk and Responsible Finance Officer)

The Proper Officer shall be the Town Clerk and Responsible Finance Officer to the Council.

The Proper Officer is responsible for dealing with the relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

The Proper Officer will

- Receive declarations of acceptance of office from members.
- Receive and record members Register of Interest.
- Receive and grant dispensations to members.
- Receive and retain plans and documents to include planning or allotments documentation.
- Sign notices or other documents on behalf of the Council
- Receive copies of by-laws made by a principal local authority
- Certify copies of bylaws made by the Council
- Call and arrange all meetings of the Council and its Committees
- Attend meetings of the Council
- Prepare and issue agendas
- Receive and include motions received in correct time from Councillors on agendas.
- Deal with documents, deeds, contracts and agreements following resolution to do so from the Council or any of the Standing Committees
- Ensure that the procurement process, as laid out in the Financial Regulations (5) is followed.
- Respond to requests under the Freedom of Information Act 2000 and data protection legislation.
- Day to day management of services, resources and assets, together with routine inspection, compliance and control, including all operational matters
- Manage staff recruitment, performance and discipline
- Ensure appropriate training of Councillors and Staff is available.
- Authorise adjustments to contracts of employment and job descriptions to meet the needs of the Council.
- Pay staff expenses and allowances
- Management of salaries in accordance with contracts of employment
- Authorised to call any extra ordinary meeting of the Council or any of its committees
- Respond immediately to any correspondence requiring or requesting information or relating to previous decisions by the Council or its Committees,
- Respond to planning applications when an extension of time is not granted, following consultation with the Chair of the Planning Committee, all decisions to be reported to the next Committee meeting.
- Authorise routine expenditure within the budget and in line with Financial Regulations.
- Authorise emergency expenditure up to £5,000 outside the budget
- Authorise expenditure of up to £2,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure and report it as per the Financial Regulations (5.18)
- Authorise payments of up to £ 1,000 excluding VAT, within an agreed budget (F.R 6.8 i)
- Dispose of Council Assets with a value of up to £500.00 if deemed necessary.
- Act as the Councils' responsible person for Health and Safety
- Act as the Councils' Data Protection Officer
- Deal with matters specifically delegated by Council or Committee

- Oversee Council transparency, access to information, data use and storage including day to day management of the Council website and Social Media
- Ensure compliance with Standing Orders, Financial Regulations and Council policies and procedures.
- Report to the External Auditor matters under the Local Government Finance Act 1988 s14
- Arrange and manage the Council's insurance arrangements
- Manage income generating activities
- Act on matters specifically delegated by the Council or Standing Committee
- Ratify recommendations from working groups by ensuring that they are sent to the correct Committee or Full Council for approval.
- Act as a representative of the Council
- Liaise with other organisations, locally, regionally and nationally
- Authorised to cancel or postpone a meeting owing to lack of business or in an emergency
- In an emergency carry out any function to ensure the safety of staff and/or the community. Such emergencies may include fire, flood, loss of electricity, natural disaster or accident (the list is not exhaustive).

Standing Committees

The Council's standing committees are:

- [Community and Events Committee](#)
- [Policy and Resources Committee](#)
 - [Human Resources Sub-Committee](#)
- [Planning Committee](#)
- [Allotments Committee](#)

All standing committees have delegated powers to make decisions in accordance with the Committees Terms of Reference and within their authority to spend. Committees may decide not to exercise delegated responsibility and may instead make recommendations to Full Council.

Working Groups

Working Groups all have their own Terms of Reference, [Working Group Protocol](#) and a 'sponsoring' Committee. They will make recommendations to their 'sponsoring' Committee with delegated authority or Full Council as appropriate for decisions to be ratified. Working Groups cannot make decisions.

Urgent Business

In the event of any matter arising which requires an urgent decision notwithstanding delegated powers granted above, the Proper Officer, or Deputy Clerk in the Town Clerk's absence, shall forthwith consult with the Mayor and Chairman of the Policy and Resources Committee, and those Members so consulted together with the Proper Officer, or Deputy Clerk in the Proper Officer's absence, shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration, and up to a limit of £5,000 if the decision is relating to spending.

Before exercising the delegated powers granted above, those Members consulted shall consider whether the matter is of sufficient interest to justify calling an Extra Ordinary Meeting of the Council.

Whenever any action is taken under urgent business, full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meeting of the Council.

Urgent business should typically meet at least one of these conditions:

- Could not have been foreseen at the last meeting
- Are time-sensitive
- Fall outside existing delegated authority
- Require action to prevent risk or significant cost to the Council.