

# ELLESMERE TOWN COUNCIL

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## **SCHEME OF DELEGATION**

**To be Adopted: Monday 12<sup>th</sup> May 2025**

**Reviewed Annually**

The Local Government Act 1972 s101 allows a Town Council to arrange for a committee, subcommittee or an officer or another Local Authority to carry out its powers and duties.

The Act does not allow the Town Council to authorise a single Councillor to take decisions.

This Scheme of Delegation authorises the Town Clerk & Responsible Financial Officer, Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed.

### **1. Responsible Financial Officer**

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

### **2. Proper Officer**

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

To receive Declarations of Acceptance of Office.

To receive and record notices disclosing Personal and Prejudicial Interests.

To receive and retain plans and documents.

To sign notices or other documents on behalf of the Council.

To receive copies of by-laws made by Shropshire Council the Unitary Authority.

To certify copies of by-laws made by the Council.

To sign summonses to attend meetings of the Council.

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

The day-to-day administration of services, together with routine inspection and control.

Day to day supervision and control of all staff employed by the Town Council.

Authorisation of routine expenditure within the agreed budget.

Emergency expenditure up to £2,000.00 outside the agreed budget (Financial Regulation 5.18).

Delegated actions of the Town Clerk & RFO shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Town Council from time to time.

Upon consultation with the Chair of Planning the RFO can circulate Planning Applications via email that have a 14 day or shorter response time to full council, ask them for comments and with the Chair of Planning form a response to be submitted to Shropshire Council. The application information and response will then be noted at the next full town council meeting.

### **3. Council**

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

Setting the Precept;

Borrowing money;

Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.

Making, amending or revoking by-laws;

Making of orders under any Statutory Powers;

Matters of principle or policy.

Nomination and appointment of representatives of the Town Council to any other authority, organisation or body (excepting approved conferences or meetings);

Any proposed new undertakings;

Prosecution or defence in a court of law;

Nomination or appointment of representatives of the Town Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.

### **4. Committees**

The Finance, Asset & Resources Committee shall consider and determine the following matters:

Matters of Council administration and policy.

Consideration of the Council's budget and precept request and recommendation of consolidated finance requirements.

Budgetary control.

Matters properly referred from other Committees within the requirements of Standing Orders & Financial Regulations.

Financial Grants.

Staff Establishment – to make recommendations and to receive reports by the Staffing & Governance Sub Committee.

To consider service reviews for all services and to report recommendations to the Town Council at the conclusion of the matters reviewed.

To comment on any consultations relating to this Committee.

The Planning & Infrastructure Committee shall consider and determine the following matters:

To maintain all recreation grounds, parks and public open spaces and to initiate and supervise all matters of control properly associated with this recreation function.

To maintain and supervise all play/leisure equipment upon any recreation ground or other recreational open space and building erected for such purposes thereon.

To operate and maintain the closed Churchyard at St. Mary's Church.

To be the lead Council for Ellesmere Joint Parishes Burial Committee, joint committees devolved in 2015.

To deal with all other matters relating to amenities and the town environment, including horticulture (trees, bulbs, flowers, shrubs etc), street furniture.

To maintain and operate the Town Hall.

To comment on planning applications received from the local planning authority, Shropshire Council.

Licensing matters.

Any other matter which may be delegated to it by the Council from time to time.

To comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate.

To annually review the Ellesmere Place Plan.

To comment to other authorities on public transport, parking and regeneration issues.

To comment and where appropriate, work on public footpaths and bridleways.

A Committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes.

To comment on any consultations relating to this Committee.

## **5. Sub Committees**

The Staffing & Governance Sub-Committee shall be delegated to make decisions on behalf of the Town Council in the following matters:

Hearings for grievance, disciplinary and capability matters for the Town Clerk & RFO and other Members of staff only in accordance with the Councils Grievance and Disciplinary procedure.

Dealing with any grievance, disciplinary and capability matters for the Town Clerk & RFO and all staff members only to a final conclusion, only reporting to Town Council when the time for any appeal has passed.

Appraisal of the Town Clerk. Policy on the following matters is reserved to the Staffing & Governance Sub Committee for decision but the sub-committee may also make policy recommendations relating to:

Salaries.

Conditions of service.

Staff levels.

Consideration of staffing reviews.

The Staffing & Governance Sub-Committee is delegated to make decisions on the behalf of the Town Council in the following matters:

Appeals against decisions made by or on behalf of the Town Clerk & RFO in grievance, disciplinary and capability matters.

Dealing with appeals to a final conclusion, only reporting to Town Council the actions it has taken at the end of the process.

In order to ensure as far as possible that such matters as appraisal, grievance, disciplinary and capability issues are dealt with professionally and in accordance with employment legislation, all members of the Staffing & Governance Sub-Committee must agree to undertake training in these matters.

Other standing sub-committees may be formed by resolution of the Town Council at any time under Standing Orders 4 (a) and delegated powers may be decided upon at the time the sub-committee is formed by means of a minute detailing the terms of reference.

## **6. Working Groups**

Working groups may be formed by resolution of the 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. Each working group will report back with recommendations to the Town Council or the committee that formed it.