

# Templeton Community Council – Scheme of Delegation

## **Power to Delegate Functions**

Under the Local Government Act 1972 s 101 (a) the Community Council has the power to arrange for the discharge of its functions by a committee, sub-committee or officer of the authority.

The Community Council does not have the power to delegate a decision to an individual Councillor.

## **Decisions of the Full Council:**

The matters below are the sole responsibility of the Full Council and cannot be delegated:

1. Approving the precept level of the Community Council;
2. Authorising borrowing;
3. Appointing representatives to outside bodies;
4. Making, amending, revoking, re-enacting or adopting by-laws;
5. Agreeing the Community Council's Statement of Accounts and Annual Governance Statement.

## **Committees and Sub-Committees**

Procedures for delegation to any specific committees and sub-committees are specified under the Terms of Reference for each committee or sub-committee. Committees can arrange for the discharge of any of their delegated powers to a sub-committee.

## **Working Groups - membership**

The Council may appoint working group(s) to discuss items affecting the Community, to meet with other electors, officials of other bodies, contractors and to discuss issues in detail. The constitution of the working group shall be a minimum of three members and may include non-councillors.

Members of the working group will normally be appointed every year at the Annual Community Council meeting. A leader will be appointed for the working group every year at the Annual Community Council meeting. The leader and the Council Clerk will be the main points of contact for Council staff, Council members and members of the public. Any member of the Community Council can attend the working group, whether appointed to it or not.

## **Working Groups - powers**

Working Groups are not subject to Council Standing Orders and have no spending powers, nor can they make decisions on behalf of the Community Council. As an advisory group they can have no delegated powers from the Community Council.

## **Working Groups - Responsibilities and areas of operation**

Working Group meetings are not held in public so do not have to be advertised nor require formal minutes to be kept. Working Groups look at specific areas or problems which may be identified in the areas of operation when the working group is set up

Working groups report periodically as necessary to the Community Council for a resolution by the Council on any decisions recommended; and for the Council to make a resolution to spend money on a particular item. The Working Party has no spending powers, nor can it make decisions on behalf of the Community Council.

## **Community Council Staff**

Under the Local Government Act 1972 the Community Council “shall appoint such officers as they think necessary for the proper discharge by the authority of such of their or another authority’s functions as fall to be discharged by them”. Decisions can at any time be delegated to Community Council Staff.

The following have been delegated by Templeton Community Council to the Clerk/RFO:

### **General Matters**

1. To sign on behalf of the Council any document to give effect to any decision of the Council;
2. To manage the Council’s facilities, property and assets;
3. To act on behalf of the Council as a designated officer in order to comply with legislation;
4. To consult with all Councillors on any matters that might require a decision before the date of the next meeting, and if a clear majority of Councillors expressing an opinion agree, to note this view and report it as necessary.
5. To instigate and authorise the repair and maintenance of Community Council equipment, property or assets, so long as the Community Council’s Financial Regulations are adhered to and the cost does not exceed the current budget;
6. To purchase equipment and supplies to be used by staff or contractors to repair or maintain Community Council equipment, property or assets;
7. To dispose in a suitable fashion of Community Council equipment or assets with an estimated current value of less than £100 if disposal has previously been agreed by Council.

### **Urgent Matters**

The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1000. The Clerk shall report the action to the Council or appropriate Committee as soon as practicable thereafter.

All delegated decisions will be reported to the Council in its next meeting and duly recorded as necessary.

Templeton Community Council  
September 2024