



Scheme of Delegation

Revision History

Date	Section/Paragraph Changed	Reason for Change
September 2020	Original	Reviewed and adopted by Full Council, 3 September 2020
July 2025	Complete Review – including removal of Harbour Committee and establishment of a separate Planning and Transport Committee	Reviewed and adopted by Resource Committee, 17 July 2025
July 2026	Complete annual review. Updated the entire document to Arial font to enhance readability and ensure compliance with accessibility standards and document requirements.	Reviewed and adopted by Resource Committee, 16 July 2026
	2.2 Included '(excluding VAT)' for consistency/clarity, ensuring same VAT basis across all policy documents.	Reviewed and adopted by Resource Committee, 16 July 2026
	Added in 'excluding VAT' after each Committee expenditure level is confirmed for consistency/clarity across all policy documents.	Reviewed and adopted by Resource Committee, 16 July 2026
	4.4 Removed the Appraisal of Town Clerk to clarify that the Town Clerk's appraisal should be undertaken by the Mayor in consultation with the HR Lead, rather than by the Personnel Committee	Reviewed and adopted by Resource Committee, 16 July 2026

SCHEME OF DELEGATION

This Scheme of Delegation authorizes the Proper Officer and Responsible Financial Officer, and Committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

The 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

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

- (1) To receive declarations of acceptance of office
- (2) To receive and record notices disclosing personal and prejudicial interests
- (3) To receive and retain plans and documents
- (4) To sign notices or other documents on behalf of the Council
- (5) To receive copies of by-laws made by the unitary authority
- (6) To certify copies of by-laws made by the Council
- (7) To sign summonses to attend meetings of the Council

2.2 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) Day to day supervision and control of all staff employed by the Council
- (3) Authorization of routine expenditure within the agreed budget
- (4) Emergency expenditure up to £25,000 (excluding VAT) outside the agreed budget

- 2.3 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.

**3. Council
Lead Officer – Town Clerk**

- 3.1 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) Setting the Precept
- (2) Borrowing money
- (3) Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- (4) Making, amending or revoking by-laws
- (5) Making of orders under any statutory powers
- (6) Matters of principle or policy
- (7) Nomination and appointment of representatives of the Council to any other authority, organization or body (excepting approved conferences or meetings)
- (8) Any proposed new undertakings
- (9) Prosecution or defence in a court of law
- (10) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a Committee
- (11) To respond to public consultations on and correspondence relating to matters affecting the town other than those that are properly dealt with by an appropriate Committee

4. 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 execute 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 authorized to establish Sub-Committees and working groups, and to appoint advisers as and when necessary to assist in its work. The work of 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 Council or the Committee that formed it.

4.1 Resource Committee Lead Officer – RFO

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

- (1) Review and implement matters of Council administration and policy
- (2) Review and make recommendations, where necessary, to the Town Council on matters of financial administration in accordance with the Council's Finance Regulations

This will include but not be limited to:

- (a) Regular review of financial statements
- (b) Budget monitoring where necessary in accordance with Financial Regulations
- (c) Preparation and presentation of Annual Budgets to the Town Council, in accordance with regulations

- (d) Review and recommend to Full Council the Annual Accounts
- (e) Carry out, and review an annual Financial Risks Assessment of Procedures
- (3) Consider all internal and external audit reports. Where necessary, the Committee shall make recommendations on any remedial action
- (4) Recommend to Council the Annual Precept request as part of budget procedures
- (5) Make recommendations and to receive reports from the Personnel Sub-Committee on staff establishment
- (6) May bid for funding, other than the Annual Precept, on the Council's behalf
- (7) Consider all grant applications
- (8) Submit items within the Resource Committee remit for inclusion in the budget for the following year
- (9) Approve of expenditure up to a limit of £25,000 (Excluding VAT) on items within the Committee's area of responsibility up to the amount specified in the budget

4.2 **Amenities Committee**

Lead Officer – Facilities and Contracts Manager

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

- (1) Review and make recommendations, where necessary, to the Town Council on matters of financial administration in accordance with the Council's Finance Regulations
- (2) Oversee the operation and maintenance of all buildings, land, recreational facilities, parks and public open spaces
- (3) Oversee the operation and maintenance of the Council's allotments
- (4) Oversee the operation and maintenance of the cemetery, burial responsibilities and associated duties
- (5) Oversee the operation and maintenance of the public toilets
- (6) Promote community use of all public open spaces owned by the Town Council

- (7) Keep under review the Council's transport and machinery needs and direct the management of the vehicles in the Council's fleet
- (8) Support the development of a number of annual Town Council backed events, working in partnership and co-operation with other groups and seeking to involve as wide a cross section of the community as possible, including young people in the planning process. To oversee the operation and maintenance of decorative and Christmas lights and trees. To ensure that contractors have up to date risk assessments, insurance etc
- (9) Submit items within the Amenities Committee's remit for inclusion in the budget for the following year
- (10) Deal with all other matters relating to amenities and the environment, including horticulture (trees, bulbs, flowers, shrubs etc)
- (11) Develop policies relating to the areas of the Committee's responsibility including risk assessments, booking terms and conditions, health and safety and a fire safety policy. These can be recommended to Council for approval
- (12) Approve of expenditure up to a limit of £25,000 (excluding VAT) on items within the Committee's area of responsibility up to the amount specified in the budget

4.3 Planning and Transport Committee

Lead Officer – Deputy Clerk

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

- (1) Comment on behalf of the Council on all consultations relating to Local Development Plans, Mineral Plans, Waste Plans, Regional Plans and any other plans or studies as considered appropriate
- (2) Make representations to the Local Planning Authority on applications for planning permission which have been notified to the Council – this includes premises, tree works, highways, licensing applications. When necessary, hold meetings with residents, developers or planning officers to assist with the formulation of those representations.
- (3) Make representations in respect of appeals against the refusal of planning permission

- (4) Identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations
- (5) Street Naming
- (6) Consider requests from members of the public for highway improvements and, if appropriate, prepare and submit recommendations to the Community Area Partnership (CAP) for consideration.
- (7) To respond to requests for pre-application comments and, where necessary hold pre-application meetings with applicants and make recommendations to Council on appropriate charges for such discussions.
- (8) Deal with any licensing matters referred to the Council
- (9) 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.
- (10) Be responsible for overseeing the process of implementation, monitoring and review of the Hayle Neighbourhood Plan (including public consultation), to ultimately be subject to recommendation to the Full Council.
- (11) Deal with any other matter which may be delegated to it by the Council from time to time
- (12) Approve of expenditure up to a limit of £25,000 (excluding VAT) on items within the Committee's area of responsibility up to the amount specified in the budget
- (13) Deal with any other planning related matter referred to the Council

4.4 **Personnel Committee** **Lead Officer – Town Clerk**

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

- (1) To deal with all employee issues, including recruitment, disciplinary and grievance matters, in accordance with the Council's grievance and disciplinary procedure
- (2) To regularly review the terms and conditions of service and superannuation of the Council's staff, employment policies, job specifications and salaries to make appropriate recommendations to the Resource Committee relying on, where appropriate, the Scheme of

Conditions of Service of the National Joint Councils, the National Association of Local Councils and any local conditions of service

Policy on the following matters is reserved to the Resource Committee for a decision, but the Committee may also make policy recommendations relating to:

- (3) Salaries
- (4) Conditions of service
- (5) Staff levels
- (6) Consideration of staffing reviews

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

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

5. Standing Sub-Committees/Working Groups/Parties

- 5.1 Standing Sub-Committees may be formed by resolution of the Council at any time under SO 17 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.
- 5.2 Working groups/parties may be formed by resolution of the Council or a Committee at any time. The work of such a working group/party will be decided upon at the time it is formed by means of a minute detailing the terms of reference. Each working group/party will report back with recommendations to the Council or the Committee that formed it.

6. Urgent Matters

- 6.1 In the event of any matter arising which requires an urgent decision the Town Clerk shall consult the Mayor and Deputy Mayor (and also the Chairman and Vice Chairman of the Resource Committee if the matter involves expenditure not provided for in the Annual Budget or other decision of the Council) and with the agreement of those members shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 6.2 Before exercising the delegated powers granted by paragraph 6.1 above, the Town Clerk and those members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a special meeting of the appropriate Committee and where a meeting is so summoned the Committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 6.3 Before exercising the delegated powers granted by paragraph 6.1 above, the members concerned shall consider whether the matter is of sufficient import to justify summoning a special meeting of the Council or an appropriate Committee.
- 6.4 Any action that is taken as a matter of urgency shall be reported to the next meeting of the Council or Committee as appropriate.

7. Delegation - Limitations

- 7.1 Committees and Sub-Committees shall, at all times, act in accordance with the Council's Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.