

# YEOVIL TOWN COUNCIL

## SCHEME OF DELEGATION



### 1. Introduction

- 1.1 The scheme of delegation enables the Town Council to function efficiently and effectively.
- 1.2 Without the Scheme of Delegation, every decision would have to be taken by Full Council. Decision making powers are delegated as appropriate to both Committees and Officers.
- 1.3 Powers cannot be legally delegated to individual Councillors or Working Parties.
- 1.4 Working Parties are ordinarily established to investigate and/or review a particular matter, to report back to the relevant Committee or Full Council with its findings, which may include a recommendation.

### 2. General

- 2.1 All Committees are delegated with the powers and duties shown below (paragraph 4) subject only to the following exceptions:
  - (a) Standing Orders;
  - (b) Any special or general directions which the Town Council may give from time to time;
  - (c) The matters specifically reserved for determination by full Town Council as listed below (section 3); and
  - (d) Any relevant statutory provisions.

### 3. Full Council:

#### 3.1.1 Membership and Frequency of Meeting:

3.1.1.1 Consists of: All 24 Councillors.

3.1.1.2 Scheduled to meet: eight times per year, with three reserve dates (meetings will only be held if necessary).

#### 3.1.2 Matters reserved for Full Council:

- (a) To set and approve the Council's budget and precept;

- (b) To approve the Annual Governance and Accountability Return (AGAR);
- (c) To make, amend or revoke Standing Orders; Financial Regulations and this Scheme of Delegation;
- (d) To adopt or revise the Council's Code of Conduct;
- (e) To confirm (by resolution) that the Council satisfies the criteria to exercise the General Power of Competence;
- (f) To approve and adopt the Council's Risk Strategy and Risk Assessment;
- (g) To Appoint the Committees;
- (h) To nominate or appoint representatives of the Council to outside bodies;
- (i) To make, amend or revoke byelaws;
- (j) To authorise the terms and purposes for any application for borrowing approval;
- (k) Approval of purchase, acquisition by other means, lease, sale or disposal of land and property;
- (l) To confirm the appointment of the Chief Executive / Town Clerk;
- (m) To approve schemes involving capital expenditure. Once approved and the estimated cost agreed by the full Town Council the appropriate Committee may proceed with it subject to any tender accepted not exceeding the approved estimate;
- (n) To consider any matter of major policy or of sufficient interest or novelty that members would wish that it be debated by full Town Council; and
- (o) To consider all other matters which must, by law, be reserved for the Full Town Council.

## **4. Delegation to Committees**

### **4.1 Finance and Policy Executive:**

#### **4.1.1 Membership and Frequency of Meeting:**

4.1.1.1 Consists of: Mayor (ex-officio), Deputy Mayor (ex-officio), Chair of each Committee, representative of each Committee, proportionate representation from opposition group(s), (usually between 12 and 14 members).

4.1.1.2 Scheduled to meet as a committee: at least six times per year.

#### **4.1.2 Matters delegated for consideration and determination:**

(a) To review policy and submit reports to Council consulting with the appropriate

Committee on any revision of current policy;

- (b) To determine all personnel matters including the appointment of Chief Executive / Town Clerk subject only to any personnel matters delegated directly by Town Council to the Chief Executive / Town Clerk;
- (c) To review Budget Monitoring at each meeting, and the Outturn position;
- (d) To settle disciplinary matters (via a Staffing Committee) in accordance with the agreed Disciplinary Procedures;
- (e) To control the Town Council's finances and insurances and to review the expenditure and income budgets from time to time;
- (f) To recommend to Full Council, the Risk Strategy and Risk Assessment and to ensure that the Council are adequately insured for all appropriate risks;
- (g) To action the recommendations from the Internal Auditor;
- (h) To determine all applications for grants (except any that may be delegated to any other Committee) subject to all applications being considered on their merits;
- (i) To authorise the commencement of any action or appeal before the lands or industrial tribunal or in any court;
- (j) To oversee all Youth Services provisions including Youth Clubs, detached work and Youth Council; and
- (k) To consider the annual budget request for the Finance and Policy Executive; and to consider the annual budget requests for all Committees.

## **4.2 Leisure and Environment Committee**

### **4.2.1 Membership and Frequency of Meeting:**

4.2.1.1 Consists of: Mayor (ex-officio), Deputy Mayor (ex-officio), reflecting the political balance of the Council (usually between 10 and 12 members).

4.2.1.2 Scheduled to meet as a committee: at least six times per year.

### **4.2.2 Matters delegated for consideration and determination:**

- (a) To manage all allotment sites in Yeovil Town;
- (b) To annually review the allotment rents subject to consideration by Finance and Policy Executive and approval of Town Council;
- (c) To arrange the Best Kept Allotments Competition;
- (d) To manage all open spaces and play areas under delegated powers from Somerset Council (until such times that all open spaces and play areas are

- devolved to Yeovil Town Council);
- (e) To manage Yeovil in Bloom;
  - (f) To manage Yeovil Country Park;
  - (g) To manage Yeovil Recreation Centre;
  - (h) To manage Ninesprings Café and the Rec Café;
  - (i) To consider Footpath maintenance;
  - (j) To act as a liaison point for all non-financial matters relating to the Yeovil Cemetery and Crematorium;
  - (k) To oversee the Fleet and all matters associated; and
  - (l) To consider the annual budget request of Leisure and Environment Committee for recommendation to the Finance and Policy Executive.

#### **4.3 Infrastructure (Property and Assets) Committee**

##### **4.3.1 Membership and Frequency of Meeting:**

4.3.1.1 Consists of: Mayor (ex-officio), Deputy Mayor (ex-officio), reflecting the political balance of the Council (usually between 10 and 12 members).

4.3.1.2 Scheduled to meet as a committee: at least six times per year.

##### **4.3.2 Matters delegated for consideration and determination:**

- (a) To manage all aspects of Milford Hall;
- (b) To manage, repair and maintain all Town Council land, buildings and its contents;
- (c) To oversee all facilities management;
- (d) To maintain the Hospital Sub-way Mural;
- (e) To provide, site, maintenance of litter bins and dog waste;
- (f) To maintain the War Memorials;
- (g) To maintain the Millennium Clock;
- (h) To act as consultee on street naming and house numbering;
- (i) To act as consultee on Traffic Regulation Orders;
- (j) To oversee the Community Safety function relevant to the Town Council (including CCTV, Community Ambassadors, defibrillators and Speed Indicator Devices (SIDs));

- (k) To manage, repair and maintain Town Council public noticeboards;
- (l) To manage, repair and maintain Public Toilets;
- (m) To act as consultee on town centre street scene development; and
- (n) To consider the annual budget request of Infrastructure (Property and Assets) Committee for recommendation to the Finance and Policy Executive.

#### **4.4 Planning Committee**

##### **4.4.1 Membership and Frequency of Meeting:**

4.4.1.1 Consists of: Most members sit on this Committee.

4.4.1.2 Scheduled to meet as a committee: at least twelve times per year.

##### **4.4.2 Matters delegated for consideration and determination:**

- (a) To consider all planning applications and planning matters affecting Yeovil Town; and
- (b) To consider the annual budget request of Planning Committee for recommendation to the Finance and Policy Executive.

#### **4.5 Culture, Events and Promotions Committee**

##### **4.5.1 Membership and Frequency of Meeting:**

4.5.1.1 Consists of: Mayor (ex-officio), Deputy Mayor (ex-officio), reflecting the political balance of the Council (usually between 10 and 12 members).

4.5.1.2 Scheduled to meet as a committee: at least six times per year.

##### **4.5.2 Matters delegated for consideration and determination:**

- (a) To manage Westlands Entertainment Venue;
- (b) To work collaboratively with Somerset Council regarding the Octagon;
- (c) To develop Town Centre initiatives, activities and events (including Super Saturday);
- (d) To organise ad hoc events on behalf of the Town Council;
- (e) To manage, repair and maintain Christmas Lights and to organise the Christmas Lights Switch on event;
- (f) To arrange for the publication of town guide and other promotional literature;
- (g) To arrange customised souvenirs;

- (h) To organise the Remembrance Sunday event;
- (i) To manage the Community Heritage provision (including the South Somerset Heritage Collection);
- (j) To oversee the corporate marketing and communications strategy;
- (k) To oversee the Civic function including regalia and the Mayor;
- (l) To manage all aspects of the Town Crier (including appointment, conditions of service, uniform and the Annual Town Criers' Competition);
- (m) To consider the requests for the use of the Town Crest, in line with policy; and
- (n) To consider the annual budget request of Culture, Events and Promotions Committee for recommendation to the Finance and Policy Executive.

## **5. Delegation to Chief Executive / Town Clerk**

- 5.1 The Chief Executive / Town Clerk is the Proper Officer of the Town Council as defined in law.
- 5.2 The responsibilities and duties of the Proper Officer is set out within law and Council policies.
- 5.3 The following matters are delegated to the Town Clerk.
  - (a) To issue all statutory notifications;
  - (b) To receive Declaration of Acceptance of Office;
  - (c) To receive and record notices disclosing pecuniary interests;
  - (d) To hold the Council's seal and affix it to documents in accordance with Standing Orders;
  - (e) To sign notices and other documents on behalf of the Council;
  - (f) To sign the summons to attend meetings;
  - (g) To manage and be responsible for all Council staff, either directly or indirectly;
  - (h) To ensure compliance with Standing Orders;
  - (i) To ensure compliance with Financial Regulations;
  - (j) To determine accounting policies, records and control systems;
  - (k) To manage the provision of Council services, buildings, land and resources;
  - (l) To act on behalf of the Council in urgent situations and report back to the

Council as soon as practicably possible;

- (m) To deal with dispensation requests from Members under the Code of Conduct;
- (n) To deal with matters specifically delegated by Council; Committee or within policies;
- (o) To appoint all employees in accordance with the Council's staff structure;
- (p) To authorise additional hours of work for existing staff on a temporary basis to support the business needs of the Council;
- (q) To maintain the register of casual workers;
- (r) To maintain the register of volunteers;
- (s) To be responsible for the overall management of all budgets in accordance with Council policies;
- (t) To issue press releases on any Council activity exercise in accordance with Council policy;
- (u) To determine the outcome of employee probationary periods, following a probationary review having taken place;
- (v) To ensure proper administration of the Council's affairs;
- (w) To agree up to five days special leave with pay in any one year for compassionate or other grounds i.e. bereavement and family illness. (Compassionate leave more than five days up to ten days is subject to approval of the Mayor, Chair and Vice Chair of the Finance and Policy Executive);
- (x) To agree the use of Council Chamber and related facilities:
  - (i) by outside organisations or groups associated with public service (excluding any political organisation) for meetings only, subject to any use being restricted to Town Council Office hours and to such use being also restricted to local or identifiable organisations;
  - (ii) free of charge for meetings of groups of Town Councillors, whether political or not, provided that such meetings are directly related to Town Council business; and
  - (iii) free of charge for meetings organised by the Town Council, or any other local authority, involving Members and/or Officers of the Town Council;
- (y) Town Clerk granted reasonable discretion to refuse to accept items for

inclusion through the Council post where they are:

- (i) Political, or
  - (ii) Deal with opposing or supporting decisions on items not directly the concern of the Town Council and/or where the Town Council has not reached a view.
- (z) Where it is impracticable to refer a request for street naming to the Infrastructure (Property and Assets) Committee, the Chief Executive / Town Clerk is authorised to respond on behalf of the Town Council following consultation with the relevant Ward Members;
- (aa) Where it is impracticable to refer a planning application to the Planning Committee, the Chief Executive / Town Clerk is authorised to respond on behalf of the Town Council following consultation with the Chair and Vice Chair of the Planning Committee and the relevant Ward Members.

## **6. Responsibilities of Councillors**

### 6.1 Attendance at meetings:

- (a) To attend both Council meetings and Committee meetings (to which they have been appointed); and should attendance not be possible, apologies and reasons should be given to the Clerk of the Committee.
- (b) To read agendas and documents before the meeting

6.2 To undertake casework (specific council-related issues) within the ward they represent and to signpost to the appropriate Councillor if any request falls outside of ward; or the appropriate level of Council if the requests fall outside the remit of the Town Council.

6.3 To not give any promises that the Council will undertake to carry out any actions; or that the Council accept or assume any responsibility for a situation. Issues must be raised through the correct channels.

### 6.4 Unless duly authorised:

- (a) Councillors shall not approach Officers (other than the Chief Executive / Town Clerk; Director of Leisure and Environment; Director of Culture, Events and Promotions; Deputy Town Clerk; Deputy Responsible Finance Officer; or Assistant Town Clerk);
- (b) Councillors shall not approach contractors and customers;
- (c) Councillors shall not visit any Council property to undertake evaluation, assessments or carry out any work;



- (d) Councillors attending outside meetings (including Council meetings other than Yeovil Town Council) in their capacity as a Councillor do not represent the Council; and
  - (e) Councillors shall not issue orders, instructions or directions to Officers or volunteers.
- 6.5 To adhere to the Standing Orders, the Code of Conduct and all other policies of the Town Council
- 6.6 To ensure that the Council's Register of Members' Interest are always kept up to date and to declare any personal, prejudicial or pecuniary interests at Council and Committee meetings.

## **7. Urgent Business**

Unless otherwise provided, the Town Clerk shall, from time to time, after consulting the Chair of the Committee concerned (or, in his/her absence, the Vice-Chair of the relevant Committee); the Mayor (or, in his/her absence, the Deputy Mayor) and a named representative(s) of the Opposition Group(s) on the Council, take all necessary steps for protecting the interests of, or advancing the business of the Town Council, providing that action taken shall in all cases be reported to the next appropriate meeting of such Committee (*Standing Order 4 (d) (xvi)*).

**Adopted: 5<sup>th</sup> November 2024**  
**To be reviewed: November 2025**