

HONITON TOWN COUNCIL

DELEGATION OF POWERS TO THE TOWN CLERK & DEPUTY TOWN CLERK

Town Clerk

Over the past few years, several powers have been delegated by Honiton Town Council to the Town Clerk. These delegated powers arise as the everyday duties of the Proper Officer and Responsible Finance Officer. It is the duty of the Council to review these delegations on an annual basis and confirm as appropriate.

1. The Clerk has day to day responsibility for the management of all staff employed by Honiton Town Council.
2. The Clerk is empowered to take financial action to deal with an emergency arising that is within the powers of the Town Council
3. The Clerk is empowered to act as a representative of the Town Council on all Honiton Town Council working groups
4. The Clerk is empowered with regard to the community complex (Minute 10/73 of 22 February 2010)
 - a. To negotiate with legal and financial advisers
 - b. To liaise with East Devon Officers
 - c. To make payments according to a schedule pre-agreed by the Council
 - d. To make funding applications
5. The Clerk is empowered with regard to purchasing (Financial Regulations Section 3)
 - a. To purchase items in support of ratified decisions
 - b. To purchase items in support of the day to day running of the Town Council up to a value of £500 per item (or up to £1500 by agreement with two of the following: the Mayor, the Deputy Mayor, the Chairs of the Policy & Finance Committees)
 - c. To raise cheques as part of the annual precept setting for ongoing grants
 - d. To raise cheques to meet employment obligations re salaries in accordance with rates agreed by the Council
 - e. To make purchases formally delegated by the Town Council or any of its committees with delegated powers
6. The Clerk is empowered to manage the Council's bank accounts on a day-to-day basis and to invest monies as appropriate and agreed by the Council (Financial Regulations Section 10)
7. The Clerk is empowered to manage the day-to-day operation of the Council Offices

Deputy Town Clerk

Powers would be delegated only in the circumstances of the ongoing absence of the Town Clerk due to sickness or holiday. All decisions made by the Deputy Town Clerk relating to this delegation of powers should be in consultation with the Mayor wherever practicable and cover

1. Day to day responsibility for the management of all staff employed by Honiton Town Council
2. Taking financial action to deal with an emergency arising that is within the powers of the Town Council
3.
 - a. Purchasing items in support of ratified decisions
 - b. Raising cheques as part of the annual precept setting for ongoing grants
 - c. Raising cheques to meet employment obligations re salaries in accordance with rates agreed by the Council
 - d. Making purchases formally delegated by the Town Council or any of its committees with delegated powers
 - e. Raising cheques in support of the day to day running of the Town Council by previous agreement with two of the following: the Mayor, the Deputy Mayor, the Chairs of Policy & Finance Committees) (*note: amended from Clerk's responsibilities*)
4. Managing the Council's bank accounts on a day-to-day basis and investing monies as appropriate and agreed by the Council
5. Attendance at working group meetings as requested in order to facilitate meetings
6. Day to day responsibility for the operation of the Council Offices

Minute from Full Council 26 April 2021

Honiton Town Council Covid-19 Temporary Scheme of Delegation April 2021:

In light of the Coronavirus (Covid-19) pandemic and government advice, this council resolves that:

- (a) Should the council be unable to meet for whatever reason, the Clerk be given delegated authority to progress all ongoing matters and projects and authorise all regular payments and incur expenditure in line with the council's agreed budget.
- (b) Any decisions taken under resolution (a) above will be taken, whenever possible, in consultation with the Chairman and Vice Chairman of council and the relevant Committee Chairman (if appropriate). A record of all decisions and expenditure incurred under delegated authority will be kept and reported to members when the council next meets. Where the decision is one that could ordinarily only be made at a meeting of the Council, the Town Clerk, will, where possible, give advance notice of the decision to be made to both councillors and public by publication on the Town Council's website.
- (c) The authority to decide the council's response to planning applications be delegated to the Clerk or Deputy Town Clerk, in consultation with the Chairman and vice Chairman. Whenever possible, members of the Planning Committee (or council in the case of Major applications) will be informed of applications out for consultation and will be invited to submit comments to the Clerk or Deputy Clerk.
- (d) The provisions outlined in resolutions (a-c) above will override any requirements to the contrary in the council's standing orders, financial regulations or terms of reference.
- (e) In the interest of staff, volunteer and public safety the office will be closed to the public, except by appointment, whenever government advice deems this to be appropriate.
- (f) In line with government advice, staff will be enabled to work from home if isolation is necessary.
- (g) Should the Clerk be unable to perform his duties, the Deputy Town Clerk will assume the role of Proper Officer and RFO.

- (h) The Clerk, in consultation with the Chairman and Vice Chairman, may incur expenditure from earmarked reserves where such expenditure will help the community's efforts to support those in need of assistance or prevent social isolation and may recommend the use of other earmarked reserves and budgets if necessary.
- (i) Should government allow councils to continue to meet virtually (online), the council will take all reasonable steps to facilitate this.
- (j) In the absence of the Chairman or Vice Chairman the Clerk may direct any member of the Council to sign official documents on behalf of the Council.

Name: Stephen Hill

Post: Town Clerk

Month year: April 2021

Full Council 17 June 2021

21/42 Motions

c. Focus on Governance Structure

Members RESOLVED to delegate to the Town Clerk or Deputy Town Clerk the authority to decide the Council's response to Planning Applications in consultation with the Ward Members. Whenever possible, all Members of the Council will be informed of applications out for consultation and will be invited to submit comments to the Clerk or Deputy Clerk. Consultation comments on all Major applications will be decided by Full Council; previous delegations with respect to Planning consultations are superseded.

Minutes of Full Council 20 December 2021

21/297 Virtual Consultative Meetings and Delegation to Town Clerk

Members RESOLVED to:

- a) **introduce the option for the Council to have consultative meetings (virtually, advertised and in public), instead of all Committees and Full Council physical meetings;**
- b) **Delegate Authority to the Town Clerk/Responsible Financial Officer/Proper Officer to Decide all matters on behalf of the Council (where permitted) having consulted all Councillors;**
- c) **to agree that the Town Clerk can implement and revoke that option at any appropriate time for each Committee/Full Council (after consultation with all Councillors); This to be reviewed by Full Council at a virtual meeting to be held in March 2022.**
- d) **to immediately implement that option until such time as revoked by the Town Clerk (after consultation with all Councillors) further to a recommendation of Full Council at the consultative meeting.**
- e) **if legislation permits, agree that the Council can make Decisions in virtual meetings.**