



APPENDIX 3

Camborne Town Council Scheme of Delegation

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees and Sub-committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

- 1.1 There will be an appointed officer in the role of Responsible Financial Officer to the Council and they shall be responsible for the Town Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.
- 1.2 In the absence of the Responsible Financial Officer the council will nominate an appropriate staff member to undertake the work of Responsible Financial Officer.
- 1.3 The Responsible Financial Officer will along with the Proper Officer have delegated authority to approve expenditure up to a maximum of £5,000 within the agreed budget (provided it is necessary, appropriate and within the power of the Council).

2. Proper Officer

- 2.1 The Proper Officer of the Council and as such is specifically authorised to:
 - (a) Receive declarations of acceptance of office;
 - (b) To retain a copy of every Councillor's register of interests;
 - (c) Receive and retain plans and documents;
 - (d) To sign Notices or other documents on behalf of the Council;
 - (e) Receive and retain copies of By-laws made by Cornwall Council;
 - (f) Certify copies of Byelaws made by the Council and other such orders as adopted by the Council;
 - (g) Sign summonses to attend meetings of the Council;
 - (h) To keep proper records for all meetings, and

- (i) To receive from Cornwall Council's Monitoring Officer any documents in relation to Complaints received under The Members' Code of Conduct and report this at the next convenient meeting of the Council.

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

- (a) The day to day administration of services, together with routine inspection and control.
- (b) Day to day supervision and control of all staff employed by the Council.
- (c) Delegated authority to recruit and appoint for staff posts within the agreed structure.
- (d) Authorisation of routine expenditure within the agreed budget.
- (e) Authorise training or attendance at Conferences as agreed within budget.
- (f) Apply for grant funding on behalf of the Town Council or delegate the function to another Officer.
- (f) Authorisation of expenditure up to a maximum of £5,000 within the agreed budget (providing it is necessary, appropriate and within the power of the council).
- (g) Emergency expenditure up to £10,000 outside of the agreed budget subject to immediate report back to the next meeting of the appropriate Committee or Council, £20,000 for emergency works needed to the buildings and structures under the ownership and control of the Council.
- (h) To review and update contracts for utilities and telephones, including delegation of this task to the Responsible Financial Officer.

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;

2.4 In the absence of the Proper Officer the council will nominate an appropriate staff member to undertake the work of Proper Officer.

3. Council

Composition: *Eighteen Members*
Quorum: *Six Members*
Meetings: *Monthly*
Timing: *Thursdays- 6.30pm (except Annual Meeting- 6pm and Extraordinary Meetings)*

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

- (a) The Power of raising loans and setting the Precept;
- (b) The power of incurring capital expenditure not specifically included in the Council's approved estimate of expenditure for the time being;
- (c) The appointment to or co-option on a Committee or Sub-Committee of a person (on a strictly non-voting basis) who is not a Member of the Council or the Committee;
- (d) Standing Orders, Financial Regulations, the Scheme of Delegation, and the functions and constitution of Committees and Sub-Committees;
- (e) Dates of meetings of the Council;
- (f) Appointment or nomination by the Council of persons to fill vacancies on outside bodies arising during the Council year;
- (g) Filling of vacancies occurring on any Committee of the Council during the Council year;
- (h) The appointment or dismissal of the Town Clerk;
- (i) Agreement to take on new, including devolved services, subject in all cases to a fully-costed Business Plan to be recommended by Finance and General Purposes Committee;
- (j) Prosecution or defence in a court of law, and
- (k) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee;
- (l) Approving and adopting new policies.

4. Powers and Duties of Standing Committees

- 4.1 Subject to the foregoing, and to observance of decisions of the Council on matters of principle or policy, all the Council's powers and duties shall be delegated to the Standing Committees in accordance with the following terms of reference unless otherwise specified. The acts and proceedings of a Committee shall:
- (a) where they are delegated to the Committee, so far as is legally permissible be deemed the acts and proceedings of the Council;
 - (b) as regards other matters, be subject to confirmation by the Council, and when confirmed shall be deemed the acts and proceedings of the Council;
 - (c) in all respects be subject to the provisions of the Council's Standing Orders and Financial Regulations except as otherwise determined by the Council.
- 4.2 The Council may at any time without prejudice to executive action already taken revoke any executive power delegated to a Committee.

5. Finance & Strategy Committee

Composition: *Nine Members*
Quorum: *Three Members*
Meetings: *Bi-Monthly (or as required)*
Timing: *Thursdays- 6.30pm*
Reports to : *Full Council*

- 5.1 The **Finance & Strategy Committee** shall be delegated to make decisions on behalf of the Council in the following matters:
- (a) Ensuring the Annual Return (Statement of Accounts) is completed in accordance with requirements and recommend to Council accordingly;
 - (b) All other matters relating to Finance, including budget monitoring;
 - (c) All matters relating to internal and external audit;
 - (d) Insurances;

- (e) Grants and Donations, except any that fall within the purview of the delegated authority of any other Committee of the Council.
- (f) To make recommendations to Council on the Budgets of all Standing Committees;
- (g) General Administration;
- (h) Matters of Democratic Representation;
- (i) Matters of Devolution;
- (j) Matters of Strategic Planning; including the investigation of options regarding future service delivery, locations, buildings and assets.
- (k) Civic Activities/Local Democracy;
- (l) Member training and induction;
- (m) The making of recommendations to the Staffing Committee regarding matters relating to the Town Council's staff engaged in Finance and Administration services;
- (n) To monitor and maintain policies within the remit of the Finance and Strategy Committee;
- (o) Any other matter which may be delegated to it by the Council from time to time.

5.2 Committee may refer specific matters to the Council for a final decision if it so wishes.

6. Facilities & Environment Committee

Composition: *Nine Members*
Quorum: *Three Members*
Meetings: *Bi-Monthly (or as required)*
Timing: *Tuesdays – 6.30pm*
Reports to : *Full Council*

6.1 The Facilities & Environment Committee

- (a) The provision of Amenity services and all issues relating to the maintenance of the Amenities Unit, Dolcoath Mine House and public conveniences at Camborne Recreation Ground and Rosewarne Car Park;
- (b) Dealing with the provision and maintenance, as appropriate, of street furniture and Town Council public owned facilities including the public

clock, town square, public seats, public notice boards, and war memorials and the Trevithick Statue.

- (c) Dealing with the provision and maintenance of allotments;
- (d) The co-ordination and direction of the Council's environmental improvement programme; including summer planting, Summer Flower Displays and related initiatives;
- (e) Devolved and other services, including parks/recreation grounds, public open spaces, public conveniences, car parking, and burial services subject to policy determination on acceptance of such services resting with Council;
- (f) The provision of agency services for Cornwall Council including public footpaths, weeding and verge maintenance;
- (h) The making of recommendations to the Staffing Committee regarding matters relating to the Town Council's staff engaged on public amenity, facilities, environmental services;
- (p) Approval of environmental and community grants from within approved budgets;
- (q) All issues in relation to the Passmore Edwards building, White House and Basset Centre including legal, maintenance and repair;
- (r) To monitor and review the Climate and Nature Recovery Action Plan, promoting awareness of internally and externally of the climate change and ecological emergencies.
- (s) To work with external groups to deliver the objectives of the Climate and Nature Recovery Action Plan;
- (t) Matters of the creation of a Community Emergency Plan for Camborne.
- (u) To be responsible for matters relating to Health, Safety, and Welfare of all employees of the Council, in accordance with the requirements of the Health & Safety at Work Act 1974 and associated legislation as amended from time to time, including statutory responsibilities under the above legislation in respect of persons not directly employed by the Council.
- (j) To monitor and maintain policies that fall within the remit of the Facilities & Environment Committee.
- (k) Any other matter which may be delegated to it by the Council from time to time.

7. Planning & Development Committee

Composition:	Nine Members
Quorum:	Three Members
Meetings:	Monthly (or as required)
Timing:	Tuesdays – 6.30pm
Reports to :	Full Council

7.1 The **Planning & Development Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- (a) The making of representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with relevant legislation;
- (b) The making of representations in respect of appeals against the refusal of planning permission;
- (c) The consideration of any pre-application consultations;
- (d) The making of representations regarding street naming;
- (e) To consider and monitor all developmental plans and heritage initiatives which impact upon Camborne and the making of all appropriate representations;
- (g) The facilitation of economic development initiatives, including those pertaining to Town Centre matters, for the benefit of Camborne and the making of representations on all related matters and liaison as appropriate with other agencies;
- (h) The making of representations in respect of any highways consultations;
- (i) The making of representations in respect of any licensing matters, and
- (j) The making of representations to the appropriate Planning Authority in respect of other planning matters not otherwise referred to in Terms of Reference (a) - (h) above.
- (k) Matters regarding the creation of a Neighbourhood Development Plan for Camborne.
- (l) Matters regarding improvements to the visual presentation of the Parish generally and Town Centre, ensuring collaboration and communication with partners.
- (m) To monitor and maintain policies that are under the remit of the Planning and Development Committee.

- (n) Any other matter which may be delegated to it by the Council from time to time.

8. Staffing & Governance Committee

Composition:	Seven Members
Quorum:	Three Members
Meetings:	Bi-Monthly (or as required)
Timing:	Mondays – 6.30pm
Reports to :	Full Council

8.1 Membership

- (a) The Staffing & Governance Committee shall consist of seven members who shall be elected each year at the first meeting after the annual Council meeting and shall hold office until the first meeting after the next annual Council meeting.
- (b) It is expected that the ordinary members of the Staffing Committee will comprise at least one member from each of the Council's other standing committees. Where business is to be considered at a meeting of the Staffing Committee relating to another standing committee (for example the recruitment of an employee to carry out the functions of that standing committee) and an ordinary member of the Staffing Committee who is also a member of that other standing committee would not otherwise be present, the Staffing Committee may co-opt members of that standing committee to participate and vote at that meeting.
- (c) A chair and vice-chair must be appointed by a majority vote to be the first item of business of the first meeting of the Staffing Committee each year.
- (d) Any other matter which may be delegated to it by the Council from time to time.

8.2 Meetings

The clerk and the chair shall call meetings when necessary. Members will be summoned to attend meetings which will be held in the Passmore Edwards building or other appropriate venues and open to the public unless these terms or the policies or procedures referred to provide otherwise or it is necessary to preserve the confidentiality of information relating to employees of the Council.

8.3 Documentation

- (a) The clerk or a HR Officer shall minute each meeting and provide administrative support to the Staffing Committee.
- (b) The HR Officer will also be providing support to the Staffing Committee along with relevant updates.
- (b) The Staffing Committee shall present the redacted minutes of each meeting to the next appropriate meeting of the Council.

8.4 Decision making

- (a) The Staffing Committee may delegate functions to the clerk where these relate to the administrative functions of the Staffing Committee or the line management of employees.
- (b) The Staffing Committee may nominate a member to take advice from the Council's appointed solicitor.
- (c) In respect of personnel and human resources matters it is vital that the Staffing Committee as appropriate, keeps confidential its deliberations and decisions in cases of Appraisal, Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case.
- (d) 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 any sub-committees set up to deal with such matters must agree to undertake training in these matters.

The Staffing Committee has the following delegated powers:

8.5 Recruitment

- (a) To consider and keep under review staffing requirements of the Council, including the appointment of new staff unless delegated to the Clerk (for like for like replacement recruitment)
- (b) To authorise the advertisement of positions, select candidates for shortlisting and interviews and appointment
- (d) To advertise, select candidates for shortlisting and interview for post of Town Clerk and make recommendation to Full Council for appointment.
- (e) To authorise the arrangement of the execution of new employment contracts or changes to employment contracts.

8.6 Pay and employment contracts

To consider and keep under review the terms of employment, salaries, hourly wages, increments, bonuses and pensions of employees and where required to implement amendments to these.

8.7 Policies

- (a) To monitor, update and maintain all policies contained in the Staff Handbook and any that fall within the remit of the Staffing Committee.

8.8 Training

- (a) To keep under review training undertaken by employees and members and to implement training required.
- (b) To establish and keep under review future training requirements for employees.
- (c) To authorise the implementation of training approved

8.9 Performance, conduct, capability and redundancy

To oversee any process relating to the performance, conduct, capability or redundancy of an employee in accordance with the Council's adopted policy with the support of HR advice.

8.10 Health and safety

- (a) To monitor and review employees' working conditions, practices and procedures to ensure they comply with the law and to present recommendations to the Council.
- (b) To oversee the monitoring, records of and report to the Council the following regarding employees:
 - i. sickness
 - ii. absence
 - iii. Injury

8.11 Corporate Governance

- (a) To review Standing Orders for additions and amendments in accordance with legislation and guidance and recommend to Full Council.
- (b) To review Financial Regulations for additions and amendments in accordance with legislation and guidance and recommend to Full Council.

- (c) To review the Code of Conduct in response to consultation and legal advice and recommend to Full Council.

8.12 Additional Responsibilities

- (a) Any other matter which may be delegated to it by the Council from time to time.

9. Engagement & Operations Committee

Composition: *Nine Members*
Quorum: *Three Members*
Meetings: *Bi-Monthly (or as required)*
Timing: *Wednesdays – 6.30pm*
Reports to : *Full Council*

9.1 The **Engagement & Operations Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- (a) Monitoring the organisation of a Camborne events programme, including Christmas activities, Camborne Community Awards and green spaces activities and promotions.
- (b) All matters, including grant awards, relating to consultation and community engagement.
- (c) Council Communications and Information Services; including the Council's website.
- (d) The Library Service;
- (e) Matters relating to accessibility & widening participation;
- (f) Matters relating to Camborne Youth Council;
- (g) Matters relating to 'twinning', 'collaboration' and 'partnership', where-by forming relationships with external bodies;
- (h) Matters relating to the implementation of the Council's 'Cornish Language Policy';
- (i) Matters relating to community safety, including the provision of CCTV and delivery of initiatives such as the 'Street Marshalls';
- (j) The making of recommendations to the Staffing Committee regarding matters relating to the Town Council's staff engaged in Engagement and Library services;
- (k) To monitor and maintain policies that are under the remit of the Engagement & Operations Committee.

- (l) Any other matter which may be delegated to it by the Council from time to time.

10. Sub Committees

- 10.1 Every Committee may appoint Sub-Committees whose terms of reference and members shall be determined by the parent Committee as identified in Standing Orders. The Chairman and Vice-Chairman of the Committee shall be members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.

11. Working Groups/Parties

- 11.1 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 appropriate Committee. The Working Group will be disbanded by resolution of Council or the parent Committee to which it reports once it has completed its agreed objectives.

12 Delegation – Limitations

- 12.1 Committees, Sub Committees, Working Parties and Officers shall, at all times, act in accordance with the Councils 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.