

YEOVIL TOWN COUNCIL



SCHEME OF DELEGATION

1. Introduction

- 1.1 The scheme of delegation highlights the powers and duties of the Council and the body/person to which they are delegated.

2. General

- 2.1 All Committees are delegated with the powers and duties shown below (paragraph 3) 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 (paragraph 2); and
- (d) Any relevant statutory provisions.

- 2.2 The following matters shall be determined by the full Town Council. Any recommendations from any Committees on any of the following matters shall be accompanied by the comments of the Policy, Resources & Finance Committee:

- (a) The annual budgets of all Committees and the precepts on the District Council;
- (b) Schemes involving capital expenditure. When a scheme has been 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;
- (c) The disposal of any freehold land (other than minor adjustments of boundaries);
- (d) The granting or taking of a Leasehold interest in any land for a term exceeding twenty years;
- (e) Appointment of Committees and representatives on outside bodies;

- (f) The revision of any scale of charges for any service;
- (g) The making of byelaws; and
- (h) Any matter of major policy or of sufficient interest or novelty that members would wish that it be debated by full Town Council.

2.3 The following powers and duties are delegated to the Committee shown subject to the conditions and exceptions referred to in paragraphs 1 and 2 above.

2.4 **Policy, Resources and Finance Committee:**

- (a) To submit comments to Town Council on recommendations of Committees on any matters included in paragraph 2 above;
- (b) To review policy and submit reports to Council concurrent with the appropriate Committee on any revision of current policy;
- (c) To determine all personnel matters including the appointment of Town Clerk subject only to any personnel matters delegated directly by Town Council to the Town Clerk;
- (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 determine all applications for grants (except any that may be delegated to any other Committee) subject to all applications being considered on their merits;
- (g) To authorise commencement of any action or appeal before the lands or industrial tribunal or in any court; and
- (h) Appointment of members and staff to attend courses and conferences.

2.5 **Grounds and General Maintenance Committee**

- (a) Management of all allotment sites in Yeovil Town;
- (b) Annual review of allotment rents subject to consideration by Policy, Resources and Finance Committee and approval of Town Council;
- (c) Arrangements for the Best Kept Allotments Competition;
- (d) Management of all open spaces under delegated powers from South Somerset District Council;
- (e) Management of other recreational and leisure facilities such as the Garden

for the Partially Sighted, Rosebery Avenue Recreation Ground and Sidney Gardens;

- (f) Footpath maintenance; and
- (g) To act as a liaison point for all non-financial matters relating to the Yeovil Cemetery and Crematorium.

2.6 **Building and Civic Matters Committee**

- (a) Management of Monmouth Hall and Milford Hall;
- (b) Management, repair and maintenance of Town House and its contents including use of Town House by outside organisations or individuals;
- (c) Maintenance of Hospital Sub-way Mural;
- (d) Provision, siting and maintenance of litter bins;
- (e) Sponsorship of theatrical, educational or artistic ventures;
- (f) Maintenance of War Memorials;
- (g) Maintenance of ~~St. Johns Clock~~ and the Millennium Clock;
- (h) Street Naming and House Numbering;
- (i) Traffic Regulation Orders;
- (j) Street Lighting, Highway Obstructions and sign cleaning under delegated powers from Somerset County Council;
- (k) Yeovil Ski Slope;
- (l) Community Safety (including C.C.T.V., Crime Prevention, Community Warden initiatives, Public Transport and Youth Services);
- (m) Public Noticeboards;
- (n) Guardians of the defibrillators; and
- (o) Town Centre Streetscene development.

2.7 **Planning Committee**

- (a) Consideration of all planning applications and planning matters affecting Yeovil Town.

2.8 **Promotions and Activities Committee**

- (a) Yeovil in Bloom;
- (b) Development of Town Centre initiatives, activities and events;

- (c) Love Yeovil;
- (d) Christmas Lights;
- (e) Publication of town guide and other promotional literature;
- (f) Customised Souvenirs;
- (g) Town Crier - appointment, conditions of service, uniform and the Annual Town Criers' Competition; and
- (h) Policy on requests for the use of the Town Crest.

2.9 Delegation to Town Clerk

The following matters are delegated to the Town Clerk.

- (a) General control and discipline of Town Council employees in accordance with the Disciplinary Procedure and Code.
- (b) 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. (Minute 2/346 (c) - Policy, Resources & Finance Committee of 25/09/90). (Compassionate leave in excess of five days up to ten days is subject to approval of the Mayor, Chairman and Vice Chairman of Policy, Resources & Finance Committee).
- (c)
 - (i) Use of Council Chamber and related facilities 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) Use of Council Chamber 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.
 - (iii) No charge to be made for the use of the Chamber or for the provision of coffee/tea for meetings organised by the Town Council, or any other local authority, involving Members and/or Officers of the Town Council. (Minute 8/390/13, Town Council – 3/12/13)
- (d) 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. (Minute 4/646, Town Council - 2/6/98).

- (e) Where it is impracticable to refer a request for street naming to the Buildings and Civic Matters Committee, the Town Clerk is authorised to respond on behalf of the Town Council following consultation with the relevant Ward Members. (Minute 6/234, Town Council 1/12/04).
- (f) Where it is impracticable to refer a planning application to the Planning Committee, the Town Clerk is authorised to respond on behalf of the Town Council following consultation with the Chairman and Vice Chairman of the Planning Committee and the relevant Ward Members. (Minute 8/563, Town Council 7/4/15)

3. Urgent Business

Unless otherwise provided, the Town Clerk shall, from time to time, after consulting the Chairman of the Committee concerned (or, in his/her absence, the Vice-Chairman 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)*).

4. Policy

- (a) No member shall attend a meeting of another local authority or body as a representative of the Town Council unless he/she has been formally appointed by the Town Council as its representative (Minute 3/346 07/12/93)).
- (b) At the beginning of each meeting of the Grounds and General Maintenance, Promotions and Activities, Buildings and Civic Matters and Policy, Resources and Finance Committees, any member of the public present shall be permitted to speak for a maximum period of 3 minutes and the period for such public comment shall be limited to 15 minutes which may be extended at the discretion of the Chairman (Minute 3/322 (b) (05/10/93)).
- (c) Members of the public are permitted to comment on any application with which they are concerned at meetings of the Planning subject to any comment being for no longer than three minutes or at the discretion of the Chairman.
- (d) Any member appointed by the Town Council to attend a meeting of another authority or body shall only represent the views of the Town Council at that meeting unless he/she makes it clear that the views expressed are his/her own and not necessarily representative of the Town Council (Minute 3/322 (d) (05/10/93)).

- (g) The Civic Service shall be an annual event (Minute 3/265 (08/06/93)). As a matter of policy, the Annual Civic Service be held at 3:00pm each year and the future setting of the date of the event be delegated to the Town Clerk in consultation with the Mayor and the Deputy Mayor. (Minute 9/79, Policy, Resources and Finance – 29/03/16)
- (e) Poll Cards to be issued for future bye-elections for vacancies on the Town Council (Minute 3/344 (d) (i) (07/12/93)).
- (f) Where a letter is sent from the Town House at the request of a Committee or individual Councillor a copy of that letter shall be supplied to the Chairman of the appropriate Committee (Minute 4/096 (d) (i) (03/10/95)).
- (g) Accounts for the Annual Meeting be sent to Town Councillors with the Annual Meeting Agenda at least a week before the Meeting (Minute 4/131 (d) (i) (05/12/95)).
- (h) Expenditure should be set out under suitable sub-headings that reflect the various ways that the monies are expended (Minute 4/131 (d) (i) (05/12/95)).
- (h) Monies collected for other funds and purposes should also be recorded, both the amounts collected and the expenditure even if these monies are being given as charitable awards. (Minute 4/131 (d) (i) (05/12/95)).
- (i) The Town Council support the request for a Town Minute Silence on the eleventh day of the eleventh month at the eleventh hour and the Legion Standard of Remembrance be flown for the ten days leading up to the eleventh day of the eleventh month (Minute 4/255 (d) (iii) (02/07/96)).
- (j) Attendance records of members be produced on an annual basis for submission to the Annual Town Council meeting. (Minute 4/432 (01/04/97)).
- (k) Any Yeovil Scout or Guide Groups seeking grant aid from the Town Council be required to submit their applications through the District Commissioner and only those applications supported by the District Commissioner will be considered by the Town Council. (Minute 4/474 (01/07/97)).
- (l) Insurance cover is not to be purchased for the War Memorial and any possible future expenditure on repairs will be paid from available balances. (Minute 4/533 (c) (ii) (02/12/97)).
- (m) (Where appropriate, reports to Committees and Town Council should include a Town Clerk's recommendation.

- (n) All reports to Committees or Town Council to indicate the financial implications of the items and if there were no financial implications that should also be stated.
- (o) A budget update report be submitted to the spending Committees at each meeting. (Minute 4/707, Town Council - 6/10/98)
- (p) As far as the Council's Committees are concerned, the Council's accepted convention is that no member shall hold the same elected office for longer than two successive years.
- (q) In all instances where Town Council property is vandalised the Council should, as a matter of policy, always endeavour to recover the full costs from the person(s) responsible to avoid costs falling on local council taxpayers. (Minute 6/181, Town Council – 3/8/04)
- (r) The Town Council will continue to consider, on their individual merits, requests received for contributions towards the provision and maintenance of lighting on unadopted or private highway where it is considered that the community benefits justify the expense and, in cases where such requests are supported, will seek appropriate contributions from all interested parties. (Minute 6/352, Town Council – 4/10/05)
- (s) That the ongoing role of the Town Council in relation to Town Twinning be the support of the oaths signed by the Mayor of Yeovil and the Mayors of Herblay, Samarate and Taunusstein on behalf of their respective towns as follows:
 - (i) to honour its Twinning arrangements by establishing and maintaining friendly relations with Herblay, Samarate and Taunusstein;
 - (ii) to foster and develop mutual understanding and respect between the people of Yeovil and the people of Herblay, Samarate and Taunusstein;
 - (iii) to encourage and assist youth and adult organisations, clubs, companies, groups and all classes of persons in Yeovil, Herblay, Samarate and Taunusstein to communicate and exchange visits with each other, thereby developing human and cultural relations and establishing a firm foundation for future understanding, respect and friendship between the people of Yeovil, Herblay, Samarate and Taunusstein for all time.
(Minute 7/154, Buildings and Civic Matters Committee – 24/2/09)
- (t) The Town Council shall adopt the following procedure for dealing with future

requests for additional dog waste bins:

- (i) that any future requests for dog waste bins be referred to the Streetscene Manager for investigation;
 - (ii) that following the investigation, appropriate enforcement action be carried out by the Streetscene Manager to address the reported problem, and his findings and action be reported to the person making the request;
 - (iii) that should it be deemed necessary to move an existing waste bin to resolve the problem, a recommendation to that effect be made by the Streetscene Manager to the Town Clerk, and the proposal be considered and determined in consultation with the relevant ward members; and
 - (iv) that, in future, the dog waste bin budget be used to meet the cost of replacement bins. (Minute 7/193, Grounds and General Maintenance Committee – 2/11/09)
- (u) That the Town Council policy on use of notice boards be to display Town Council and Community Association information such as forthcoming activities, events and contact details along with promotional material for local charities, voluntary and non-profit making organisations with a limit on the size of posters to a maximum of A4; and that anything political or offensive will not be displayed. (Minute 8/39, Buildings and Civic Matters Committee – 20/9/11)
- (v) As a matter of policy, the Annual Civic Service be held at 3:00pm each year and the future setting of the date of the event be delegated to the Town Clerk in consultation with the Mayor and the Deputy Mayor. (Minute 9/79, Policy, Resources and Finance – 29/03/16)
- (w) that, as a matter of policy and to assist with the annual budget-setting process, the views of the Grounds and General Maintenance Committee on the annual review of allotment rents by the Council be submitted to this Committee for consideration as part of that process. (Minute 8/140, Policy, Resources and Finance Committee – 27/11/12)
- (x) That approval be given to the proposed amendments to the definition and procedure in the administration of the New Initiatives budget – including the use of an assessment sheet – to help Members consider the relative merits of each bid that comes forward and to demonstrate that there was community support for the proposal. (Minute 8/230, Policy, Resources and Finance Committee – 26/11/13)

- (y) That the following amendments to the Town Council's grants policy be approved and adopted:

To help the Policy, Resources and Finance Committee make more informed decisions about grant applications, the following additional information must be provided by all future applicants:

- (i) any charges applied by the organisation, and details of any other income stream; and
- (ii) evidence that the organisation has applied to other grant funders - including other local authorities - in the past five years; the amount sought and the outcome of all such applications.

In addition, a policy be adopted that grants can only be paid for a single year and a second application is not allowed for the same project/purpose within 3 2 years of the organisation having previously received financial assistance from the Town Council, unless the applicant has a Service Level Agreement with the Town Council. The Service Level Agreement to apply as a 1 year agreement only – unless otherwise stated. (Minute 8/249, Policy, Resources and Finance Committee – 25/3/14 and Minute 10/248, Policy, Resources and Finance Committee – 23/11/21))

- (z) That in accordance with the Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2004 Regulation 25, only elected Member's are entitled to the parish basic allowance.

- (i) Members may claim travelling and subsistence allowance for approved duties undertaken outside the parish of Yeovil Town (Minute 7/121 (5), Policy, Resources and Finance Committee – 30/09/08);
- (ii) Only co-opted members may claim travelling and subsistence allowance for approved duties undertaken inside the parish of Yeovil Town (Minute 10/271 (2), Policy, Resources and Finance Committee – 25/01/22); and
- (iii) Claims be approved by the Town Clerk in consultation with the Chair of the Policy, Resource and Finance Committee (or the Vice Chair of the Policy, Resource and Finance Committee – in the absence of the Chair). Minute 10/271 (3), Policy, Resources and Finance Committee – 25/01/22).

Adopted: 29th March 2022
To be reviewed: March 2023