Durrington Town Council Scheme & Scope of Delegation of Powers and Terms of Reference to Committees

Amended by Full Council on 29th September 2026 (minute 48/26) to replace the Finance and HR Committee with a Finance Committee and a new HR Committee.

Introduction:

Local Councils may only do what legislation requires or permits them to do. With some particular exceptions, the Council may delegate functions to Committees, sub-Committees, officers, or other authorities. The power to delegate functions by local Councils is set out in the amended Local Government Act 1972 S.101. The aim of this document is to clarify the manner in which Town Council has delegated its powers and the authority to spend.

Decisions are normally taken by the Town Council at its regular monthly Town Council meeting or at an additional meeting specifically convened for that purpose. Certain functions cannot be delegated and are therefore reserved to the full Council, although an appropriate Committee may make recommendations thereon for the Council's consideration.
Examples are: -
1. The Precept.
2. Borrowing money.
3. Making, amending, or revoking Standing Orders, Financial Regulations, duties, and powers of Proper Officer provisions.
4. Making, amending, or revoking by-laws.
5. Making of Orders under statutory powers.
6. Matters of principle or policy.
7. Addressing recommendations in any report from the Internal and External Auditors.
8. Nomination or appointment of representatives of the town Council on any authority, organisation or body that requests one (except approved conferences or meetings).
9. Nomination of members of all standing Committees.
10. New powers or duties.
11. Prosecution or defence in a Court of Law.
12. Nomination or appointment of representatives of the town Council to any enquiry on matters affecting the town.
13. To receive and adopt the Annual Accounts.
14. To receive and sign off the Annual External Audit and Return.
15. To receive reports and recommendations referred to Full Council from the various Committees.
16. To set up direct reporting working groups as necessary.

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17. To receive reports and recommendations and consider recommendations from all direct reporting working groups set up by Full Council or indirect groups where considered appropriate by the Clerk or Committee chairs due to timetable restrictions.
18. Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence when appropriate.
19. To confirm the schedule of meetings of Full Council and the standing Committees for the ensuing year.
20. To receive petitions and deputations from members of the public or any organisations.
21. Any other matters not delegated to a standing Committee or referred to Full Council by standing Committees.

Convening a meeting takes a minimum of three clear days (not counting Sundays and Bank holidays) and on rare occasions emergency business arises that needs a decision and/or action to be taken and it would be inappropriate to convene an additional ordinary meeting of the Council to consider the issue.

The Council scheme of delegation is an essential policy to enable the Council to function efficiently and effectively. Without this every decision would have to be taken by the Full Council. Decision making powers are given to both Committees and officers.

Powers cannot be legally delegated to individual Councillors or Working Parties.

Delegation to Committees

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.
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.

Planning

• The Council delegates decisions arising under development control consultations to the Clerk/RFO in consultation with all Councillors.
• Consultation may be by correspondence, including email, or in person. It may also take place at meetings of the Council.
• The Clerk will arrange for relevant papers to be circulated to the Councillors who should return their comments, to the Clerk/RFO for determination of the Council's response within the prescribed consultation period.
• Delegated decisions will be reported to, and recorded in the minutes of, the next Council meeting.
• In respect of controversial or major development proposals, the Clerk/RFO in consultation with the Chair, may decide that a Town meeting and/or an extraordinary meeting of the Council be called to consider the matter.

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Finance Committee (FC)

Purpose

The Committee is a standing Committee reporting to the Council following each meeting.
It will make recommendations on the annual and three-year budget forecast and the setting of the precept.
It operates withing the Financial Regulations for the Council and in conjunction with the Standing Orders.

1.Membership –

1.1 The Committee will consist of between 3 and 6 members
1.2 No councillor shall be appointed to, or continue to serve on, the Finance Committee unless they have completed council-specific finance training (Standing Order 4(e)).
1.3 The Chairman and Vice Chairman will be selected by the Committee members and the election of the Chair will be the first order of business following the Annual Meeting of the Council.
1.4 Quorum will consist of three members.
1.5 Meetings – The Committee will meet at least quarterly or at any other time as necessary, meetings will be set by the Committee at the first meeting after the annual meeting of the Council.
1.6 Agendas and minutes will be dealt with in the same way as Council meetings
1.7 The Chairman of the Committee, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Committee (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.

2.Delegated Business

2.1 To comply with the Town Council's Standing Orders and Financial Regulations on the governance and membership of the Finance Committee;
2.2 Regular quarterly review and monitor of the budget position and make necessary recommendations.
2.3 Consideration of annual budget request from standing Committees for recommendation to the Council.
2.4 Approval and award of grants (to be included in the Finance Committee minutes).
2.5 Considering and agreeing action to all Internal Audit reports.
2.6 Write off debts up to £3000.
2.7 Consider and resolve all Freedom of Information Act appeals.
2.8 To report on the Committee's allocation of grants within the agreed criteria and budget of the Town Council.
2.9 To provide Council with a budget and precept recommendation annually in January, to be prepared no later than December of the preceding year.
2.10 Review the town Council's Financial Regulations as necessary.
2.11 Review annually the risk register, the asset register and financial regulations and make recommendations to Council on appropriate action and ensure adequate insurance of buildings and property is in place.

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2.12 Consider any other financial matter that may arise including monitoring the use of CIL.
2.13 To approve the use of payment cards and the establishment of trade accounts and agree which personnel are authorised to use and the maximum levels of expenditure.
2.14 To monitor utility costs and usage each quarter and review contracts when required.
2.15 To authorise bank payment of invoices.
2.16 To approve the Clerk transferring funds between the Council's deposit and current account to ensure a constant balance of at least £20,000 in the current account.
2.17 To prepare and review all policies and procedures relating to finance and recommend them to the Council for adoption.
2.18 To control the expenditure and income of the approved budgets (Revenue and Capital) for:
a. Admin/Office Costs

NB. All spending limits are contained in the Council's Financial Regulations.

HR Committee (HRC)

Purpose

The Committee is a standing Committee reporting to the Council following each meeting. It is appointed to make decisions on all staffing, personnel and employment matters not delegated to the Clerk, subject to the budget and expenditure limits decided by the Council.

1. Membership

1.1 The Committee will consist of three members, appointed by the Council. The members appointed by the Council on 29th September 2026 are Cllr Smith, Cllr Wright and Cllr Rennie.
1.2 No councillor shall be appointed to, or continue to serve on, the HR Committee unless they have completed HR training (Standing Order 4(e)). Members appointed in September 2026 will complete refresher HR training before the Committee begins its work.
1.3 The Chairman and Vice Chairman will be selected by the Committee members and the election of the Chair will be the first order of business following the Annual Meeting of the Council.
1.4 Quorum will consist of three members.
1.5 Meetings – The Committee will meet at least twice a year or at any other time as necessary.
1.6 Agendas and minutes will be dealt with in the same way as Council meetings. Matters personal to a member of staff are subject to Standing Orders 11 and 19.
1.7 The Chairman of the Committee, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Committee (if there is one) if present, shall preside.

2. Delegated Business

2.1 To comply with the Town Council's Standing Orders and Financial Regulations on the governance and membership of the HR Committee;
2.2 To deal with all personnel, employment and recruitment issues not delegated to the Clerk.
2.3 To amend the staff structure to reflect the Council's performance needs so long as within budget. Any changes requiring additional budget require Council approval.
2.4 To consider and resolve all staff grievances in accordance with the Grievance Policy.
2.5 To consider and deal with all staff disciplinary matters in accordance with the Disciplinary Policy.
2.6 To review health and safety at work for all employees.
2.7 To prepare and review all policies and procedures relating to HR and recommend them to the Council for adoption.
2.8 To ensure employees are appointed in accordance with the Council's Recruitment Procedure, Equal Opportunities Statement and Guidelines on Employment Practice.
2.9 To ensure the Council complies with all legislative requirements relating to the employment of staff.
2.10 To ensure that an effective system of appraisal is undertaken for the Clerk.

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2.11 To control the expenditure of the approved budget for staff costs and expenses.

NB. All spending limits are contained in the Council's Financial Regulations.

Facilities and Amenities Committee (FAC)

Purpose

The Committee is responsible for the ongoing provision, maintenance and future development of all assets owned or managed by the Town Council for the benefit of the Town. Included but not limited to

a) All buildings open spaces, playgrounds, parks, allotment, and horticultural areas whether owned, leased or managed by the Town Council;

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b) Sporting, cultural, and recreational facilities provided by the Town Council and to review the local provision of such facilities;

The Committee manages projects which directly affect these assets.

1. Membership

1.1 The Committee will consist of between 3 and 9 members.
1.2 The Chairman and Vice Chairman will be selected by the Committee members and the election of the Chair will be the first order of business following the Annual Meeting of the Council.
1.3 Quorum will consist of three members.
1.4 Meetings – The Committee will meet at least quarterly or at any other time as necessary. Agendas and minutes will be dealt with in the same way as Council meetings. Meeting dates will be set by the Committee at the first meeting after the annual meeting of the Council.
1.5 The Chairman of the Committee, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Committee (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.

2. Delegated Business and terms of the Committee

2.1 To comply with the Town Council's Standing Orders and Financial Regulations on the governance and membership of the Facilities and Amenities Committee;
2.2 To implement and review relevant policies of the Town Council relating to the Town's amenities and, where appropriate, recommend amendments and new policies to the Town Council;
2.3 To exercise the delegated powers and duties of the Town Council with respect to the provision, care, maintenance, and development of all amenities and facilities.
2.4 To submit proposals to the Town Council for new and improved services;
2.5 To formulate a budget for revenue/capital expenditure for the next financial year and to recommend it to the Finance Committee by the end of October each year;
2.6 To agree and manage the expenditure and income of the approved budgets (Revenue and Capital) for the

a. Village Hall
b. Pavilion
c. Cemetery
d. Allotments
e. Amenity Areas
f. Community Services
g. Projects for all facilities.

Capital spends over £10,000 to be referred to Full Council.

2.7 To report to the Finance Committee any possible variations in allocated budgets;
2.8 To propose, budget and obtain quotes for revenue/capital expenditure.
2.9 To manage maintenance contracts for all assets and services.

Staffing Appeals Committee (SAC)

Purpose

The Committee is responsible for hearing appeals against decisions of the HR Committee, so that appeals are decided by members with no prior involvement in the matter.

1. **Membership** –

1.1 The Committee will consist of all councillors who are not members of the HR Committee at the time. Each appeal will be heard by a panel of three councillors drawn from the Committee's members, none of whom may have had any prior involvement in the matter under appeal.

1.2 The Chairman and Vice Chairman will be selected from the members and the election of the Chair will be the first order of business following the Annual Meeting of the Council.

1.3 Quorum will consist of three members (the appeal panel).

1.4 The Committee will meet as necessary.

2. **Terms of the Committee**

2.1 To receive evidence at appeal hearings and to decide, based on that evidence, whether an appeal should be upheld or rejected.

2.2 To determine whether any appeal made by a member of staff under any of the Council's personnel policies are valid.

2.3 Only Full Council may uphold the SAC decision to dismiss the Town Clerk.