



## **Scheme of Delegation**

### **Power to Delegate Functions**

Under the Local Government Act 1972 Section 101 (a) the Community Council has the power to arrange for the discharge of its functions by a committee, sub-committee or an officer of the authority, namely the Clerk. The Community Council does not have the power to delegate a decision to an individual Councillor.

Any delegation to the Clerk shall be exercised in compliance with the Council's Standing Orders, Financial Regulations, the Clerk's employment contract and job description, this Scheme of Delegation and the law and, where applicable, any other policies of the Council or conditions or directions given by the Council.

In making any decision, regard shall be had to the priorities, aims and objectives of the Council.

In an emergency, the Clerk is empowered to carry out any function of the Council in accordance with this Scheme of Delegation.

In circumstances where the Clerk is contemplating any action under delegated powers, which is likely to have a significant impact, the Clerk shall consult with Councillors and shall obtain appropriate legal, financial and other specialist advice before action is taken.

### **Scheme of Delegation**

The aim of this document is to clarify the manner in which Argoed Community Council has agreed to delegate its powers and the authority to spend.

### **Delegation to Officers (the Clerk)**

The following matters are delegated to the Council's Officers to make decisions on behalf of the Council. These decisions 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. Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where Officers have no delegated power to make a decision, they report the matter to Committee or the Council for a decision.

### **Responsible Finance Officer (the Clerk)**

The Responsible Finance Officer to the Council shall be responsible for Argoed Community Council's accounting procedures in accordance with the Accounts and Audit Regulations (Wales) in force at any given time.

## **Proper Officer**

The Clerk and Responsible Finance Officer shall be the Proper Officer of Argoed Community Council and as such is specifically authorised to:

- To receive Declarations of Acceptance of Office.
- To receive and record notices disclosing personal and prejudicial interests.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council.
- To receive copies of by-laws made by the local authority.
- To certify copies of by-laws made by the Council.
- To sign summonses to attend meeting of the Council.
- To arrange insurance.
- To sign on behalf of the Council any document to give effect to any decision of the Council.
- To manage the Council's assets, including the authorisation of the repair and maintenance of equipment or assets so long as the Community Council's Financial Regulations are adhered to and the cost does not exceed the current budget.
- To act on behalf of the Council as a designated officer with respect to complying with legislation.
- To act on behalf of the Council as a designated officer with respect to any successful grant funding applications.
- To incur expenditure on behalf of the Council, in relation to a successful grant application, whereby a Council resolution has granted delegated authority for this purpose (once the grant award has been confirmed).
- To take action on any issues of such urgency that cannot wait until the next normal Council meeting, such actions to include those necessary to prevent the Council from incurring liabilities and to carry out administrative functions required to ensure the effective operation of the Council.
- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit set out in the Council's Financial Regulations.

In addition, the Clerk and Responsible Finance Officer has the delegated authority to undertake the following matters on behalf of the Council:

- The day-to-day administration, inspection and control of any matters arising within the ward.
- Emergency expenditure up to £500 outside the agreed budget with the agreement of the Chair or Vice-Chair.
- Matters specifically delegated by Council.

## **Council**

The following matters are reserved to the Council for decision:

- Approval of the budget
- Setting the precept
- Approval of the Annual Return and Audit of Accounts
- Agreement to write off bad debts
- Approval of the virement of unspent and available amounts to other budget headings or reserves
- Approval of changes in earmarked reserves as part of the budgetary process
- Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- Making, amending or revoking by-laws

- Making of Orders under any statutory powers
- Matters of principle or policy
- Appointment of Standing Committees
- Appointing Council representatives to outside bodies
- All other matter which much, by law, be reserved to the full Council

### **Amenities Committee**

The following matters are delegated to the Council's Amenities 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.

The Amenities Committee may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where the Amenities Committee has no delegated power to make a decision, it makes a recommendation to Council.

The Amenities Committee is authorised to:

- Elect a Chair from within the membership of that Committee
- Spend money from budget headings under that Committee's remit up to the limit of the budget and/or named reserve
- Delegate any of their functions to a Sub-Committee or Officer of the Council

### **Task and Finish Groups (Working Groups)**

Task and Finish Groups may be formed by resolution of the Council at any time. The work of each group will be decided upon at the time it is formed. Each group will report back with a progress report and/or recommendations to the Council on a regular basis.

### **Recess**

Delegated powers are given to the Chair and Vice Chair to deal with any urgent matters during summer recess, or in the event of an unforeseen cancellation of a meeting. All matters dealt with shall be reported and recorded at the next meeting of the council.

If any planning applications are received, the Clerk will seek an extension of time. If this is not possible the application will be sent to all Councillors. Where no queries arise, by joint decision of at least 5 Councillors which must include either the Chair or Vice-Chair, the Clerk shall have delegated authority to inform the Planning Department within the time allocated, of the decision of the Council. All Councillors will report directly back to the Clerk within five working days on any applications circulated.

Any complaints received during the August recess will be progressed by the Clerk in conjunction with the Chair, Vice Chair and County Councillor representative and the progress or resolution reported to the September meeting.

The Clerk will report all delegated actions and decisions to the next Council meeting.

Approved at AGM 19 May 2026.