

KNUTSFORD TOWN COUNCIL

SCHEME OF DELEGATION

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VERSION v1.0
OWNER Full Council
APPROVED 21/09/2026

INTRODUCTION

1.1 This Scheme of Delegation outlines the responsibilities and decision-making processes within Knutsford Town Council with the aim of ensuring efficient governance, accountability and transparency.

1.2 The Council is empowered the Local Government Act 1972 s101 to delegate authority to committees, sub-committees and officers of the council. It is not lawful to delegate authority to individual members (including the Town Mayor or committee chairs) or informal bodies such as working groups, and the power to delegate authority is limited in some specific areas (e.g. setting the precept).

1.3 Delegation of powers is subject to:

a. limitations imposed by Standing Orders and Financial Regulations
b. limitations imposed by law
c. such general direction, limitation or modification as the Council may from time to time decide

1.4 Except where expressly provided for otherwise, committees are empowered to further delegate authority to sub-committees and officers by resolution.

1.5 This Scheme of Delegation shall be reviewed quadrennially by Full Council. The Town Clerk may update sections of the Scheme to reflect changes in policy enacted by resolution of Full Council or its committees (e.g. changes to terms of reference or policy, express resolutions delegating further powers etc)

MATTERS RESERVED TO FULL COUNCIL

2.1 The following matters are reserved to Full Council and may not be exercised by delegated authority:

a. Appointment of the Town Mayor and Deputy Town Mayor
b. Co-option of Members following a casual vacancy or following an election with insufficient candidates
c. The appointment of committees
d. Approval of the budget
e. Setting the precept
f. Approval of borrowing
g. Approval of the use of capital receipts
h. Approval of the annual governance statements and annual accounting statement
i. Making, amending or revoking Standing Orders

j. Approving an Investments Policy
k. Approving a Member/Officer Protocol
l. Adoption of a Member Code of Conduct and any decisions required in connection with a Member Code of Conduct complaint
m. Approving a Corporate Risk Register
n. Approving a Corporate Strategic Plan
o. Making, amending or revoking bylaws
p. Confirmation of eligibility to exercise the General Power of Competence
q. Nomination/appointment of representatives to outside bodies
r. Approval of the acquisition or disposal of land or building assets
s. Decisions to prosecute or defend cases in a court of law, except where such action is on the small claims track.
t. The appointment and dismissal of the Town Clerk

2.2 Full Council is the ultimate decision-making body of the council and may take decisions otherwise delegated to other decision makers.

DELEGATION TO COMMITTEES

3.1 All committees are appointed by the Full Council and shall have a terms-of-reference and membership set by Full Council. The terms of reference for the council's standing committees are contained within Standing Orders.

3.2 The Council delegates broad policy making powers to its committees to act within the remit set in their terms of reference. Committees may set policy and make ongoing commitments on behalf of the council within their delegated authority areas. The areas delegated to committees are as follows:

Committee	Policy and Decisions on matters related to
Assets and Operations	The financial, general and day-to-day running matters of the council's estates or interests in land/buildings (except those expressly referred to any other committee) and matters related to the Council's day to day operations and general issues relating to the efficient operation of the Council as referred to it by the Council.
Community	The promotion of community wellbeing and civic pride (except those expressly referred to any other committee), volunteer programmes, community group support, community communication and engagement, community grant schemes (except for Large Grants), the Town Awards, Social Issues (including healthcare, education, social behaviour and quality of life)
Environment and Transport	Floriculture, Streetscene and townscape; environment, climate change and biodiversity; non-council owned open space, highways, heritage, active travel and transport.
Events	Celebrations and town events including the Christmas Market.

Finance	Financial governance (including the council's Financial Regulations), general financial issues, the allocation of Large Grants (as defined by the council's grants policy), audit arrangements (except approval of the Annual Return), banking and investment arrangements (in accordance with adopted Investments Policy)
Personnel	Management of staff (e.g. discipline, staff welfare, remuneration, recruitment, training etc.) Compliance with the Data Protection and Freedom of Information Acts. Councillor training and development.
Planning	Any planning or licensing consultation referred to it in accordance with Standing Orders, the monitoring and review of the Knutsford Neighbourhood Plan, local and national planning policy
Town Centre	Promotion of tourism and the town economy, town centre management and the development of a Town Centre masterplan, Christmas illuminations and Markets (excluding the Christmas Market but including the Market Hall (except the long-term management of the asset), Makers Market and market licensing)

3.3 Where there is conflict between committees on matters of policy such matters may be referred to Full Council in accordance with Standing Order 77.

3.4 Committees may resolve to refer matters to another committee or Full Council.

3.5 Committees may, through policy or resolution delegate authority to a sub-committee or officer.

3.6 Where a committee establishes a sub-committee it shall set its terms of reference which shall expressly state what authority is delegated.

DELEGATION TO OFFICERS

4.1 Any exercise of delegated powers shall be in accordance with approved budgets, Standing Orders, Financial Regulations and other adopted policy as well as all statutory, common law and contractual requirements. Before exercising authority, an Officer shall ensure they are aware of any such requirements.

4.2 The Town Clerk has the delegated authority to undertake anything pursuant to the delegated power or duty which it would be lawful for the council to do, including anything reasonably implied or incidental to that power or duty.

4.3 The Town Clerk may delegate any power or duties to other Officers within the council; such delegation shall not prevent the Town Clerk from exercising the same power or duty at the same time.

4.4 Where power is delegated to an Officer, it may be exercised concurrently by relevant senior officers.

GOVERNANGE AND FINANCIAL MATTERS

Ref	Delegation	Delegated To
G1	To exercise any statute, regulation or order which confers functions or duties on the Proper Officer	Town Clerk
G2	To sign, or where appropriate, have sealed on behalf of the Town council any orders, deeds or documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the council	Town Clerk
G3	To institute and appear in legal proceedings authorised by the council	Town Clerk
G4	To appear or make representations to any tribunal or public Inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Knutsford)	Town Clerk
G5	To set an annual calendar of meetings for Full Council and committees following consultation with members, postponing, altering or cancelling meetings in consultation with the relevant chair and calling additional meetings in consultation with the relevant chair	Town Clerk
G6	To grant dispensations to the councillors in relation to the declarations of interest	Town Clerk
G7	To respond to consultations on planning and licensing applications	Deputy Town Clerk
G8	To respond to consultations under the direction of the relevant committee or Standing Orders where such matter cannot go before a committee in a timely manner	Town Clerk
G9	To be the responsible officer for the co-ordination and operation of the legal requirements under the Data Protection Act, Freedom of Information Act and Environmental Information Regulations.	Town Clerk
G10	To represent the council at any conference, meeting or inquiry to which the council is invited unless the council has indicated otherwise and to exercise any voting rights conferred by the corporate membership of any body	Town Clerk
G11	To represent the council at court or any tribunal or to make arrangements for appropriate representation	Town Clerk
G12	To serve requests for information as to ownership, occupation and other interests in land for the purposes of any function	Town Clerk
G13	To determine the financial management and accounting procedures and form and extent of financial records	Town Clerk

G14	To operate the council's banking arrangements	Town Clerk
G15	To incur expenditure in accordance with Financial Regulations	Town Clerk
G16	To arrange payment of salaries, allowances, subscription and accounts	Town Clerk
G17	To collect all income due to the Council including appropriate interest and costs	Town Clerk
G18	To make all necessary arrangements for the provision of internal and external audit service for the Council	Town Clerk
G20	To incur expenditure on revenue items	Managers
G21	To set the operational health and safety policy	Deputy Town Clerk
G22	To write-off debts up to £100 where the sum is considered irrecoverable	Town Clerk
G23	To issue proceedings to recover debts	Town Clerk
G24	To maintain required insurances and make claim on insurance to cover losses as required	Town Clerk
G25	To negotiate settlements in connection with claims made by and against the council in consultation with the council's insurers where appropriate.	Town Clerk
G26	To determine fees for any ad hoc services where such a requirement arises	Town Clerk
G27	To fulfil the duties of the council in respect of its trusteeship of the Charity for Public Recreation and Exercise (Wallwood)	Town Clerk

OPERATIONAL MATTERS

Ref	Delegation	Delegated To
O1	To make day-to-day managerial and operational decisions in connection with the services for which they are responsible	Managers
O2	To negotiate and enter into contractual arrangements for artists/contractors in relation to events organised by the council and to apply for necessary consents	Events Manager
O3	To determine the dates of events in accordance with the approved events programme and to undertake all necessary organisation of said events	Events Manager
O4	To organise civic events and fundraising events, including to determine the dates and programme content in consultation with the Town Mayor	Civic Events Officer
O3	To agree such contracts for services, utilities, plant and equipment as necessary for the effective operation of the council	Corporate Support Manager
O4	To oversee the discharge of the council's responsibilities under the Health and Safety at Work Act 1974 and other relevant legislation	Deputy Town Clerk

O5	To deliver initiatives and activity to support the economic vitality of the Town Centre and promotion of tourism subject to any relevant committee direction	Town Centre Manager
O6	To decide arrangements for the closure of the Council Offices in the Christmas period	Town Clerk
O7	To give effect to direction from the Town Awards panel for the annual Town Awards	Town Clerk
O8	To give effect to direction from the Millennium Bursary panel for the annual Millennium Bursary award	Town Clerk

PROPERTY MATTERS

Ref	Delegation	Delegated to
P1	To manage the land and property of the council	Deputy Town Clerk
P2	To deal with the day-to-day matters relating to the use and hiring of council buildings	Corporate Support Manager
P3	To agree the terms of any lease, licence, conveyance or transfer	Town Clerk
P4	To sell or otherwise dispose of surplus materials, vehicles, plant, equipment or goods where any one item of tangible property is below £500.	Deputy Town Clerk
P5	To grant or refuse the council's consent under the terms of any lease (subject to consultation with the Assets and Operations Committee Chair)	Town Clerk
P6	To arrange quinquennial surveys and valuations of buildings	Deputy Town Clerk
P7	To apply for all statutory consents necessitated by any approved council proposal or development	Deputy Town Clerk
P8	To initiate legal action or proceedings against unauthorised encampments or encroachments on Council land	Town Clerk
P9	To manage licences for trading at Knutsford Market Hall	Town Centre Manager
P10	To oversee the discharge of the council's duties under the Licensing Act 2003	Town Clerk
P11	To oversee the discharge of the council's responsibilities in respect of weddings at the Tabley Hill Chapel	Corporate Support Manager
P12	To issue grants of exclusive rights of burial and rights to maintain memorials, including transfers thereof	Corporate Support Manager
P13	To authorise the removal of unauthorised memorials	Corporate Support Manager
P14	To determine and manage a memorial masons scheme	Corporate Support Manager
P15	To determine action in respect of unsafe memorials	Corporate Support Manager
P16	To submit appeals against valuations of Council property	Town Clerk

STAFFING MATTERS

Ref	Delegation	Delegated to
S1	To ensure the management of council staff in accordance with policy, procedures and budget	Town Clerk
S2	To make appointments in accordance with the council's Recruitment Policy including to determine a starting salary within the approved range	Town Clerk
S3	To implement changes to salaries following publication of revised NJC pay scales	Town Clerk
S4	To agree minor variations to contracts of employment	Town Clerk
S5	To implement policy in respect of staff management	Managers
S6	To authorise provision of uniform and PPE	Corporate Support Manager
S7	To authorise the buy/sell of annual leave	Town Clerk
S8	To dismiss staff in accordance with procedure	Managers
S9	To authorise any payment for additional hours	Town Clerk
S10	To appoint temporary or agency staff as may be required	Town Clerk
S11	To determine approved duties for the purposes of travel, subsistence and such expenses, for members and employees	Town Clerk
S12	To manage the council's employee recognition scheme	Corporate Support Manager
S13	To authorise occupational health and other medical assessments as may be required in connection with policy	Town Clerk
S14	To authorise training for members and employees	Town Clerk
S15	Temporary or minor reassignment of duties outside job descriptions	Town Clerk
S16	To exercise the functions of the Town Clerk in their absence	Deputy Town Clerk