



| COUNCIL | | March 2017 |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| 12 Members of the Authority | | Quorum: 4 |
| | Function of Council Column 1 | Delegation of Function/s Column 2 |
| General Governance | | |
| 1 | Adoption and amendment of the Council's Corporate Strategy | None |
| 2 | Comments on Cheshire East Borough Council Community Plans | None |
| 3 | Observations on policy or strategy documents by any public body at local, national, regional or sub regional level | Reserved for Council, unless specifically delegated within the Terms of Reference of a particular committee. |
| 4 | Approval and amendment of: <ul style="list-style-type: none"> - Corporate Policies - Financial Policies - Personnel Policies - Environmental Policies - Social and Community Policies - Publicity, Marketing and Communication Policies - Committee Structure Terms of Reference - Publications Scheme - Allowances Scheme - Other policies not specifically delegated to a particular Committee | None |
| 5 | Endorsement of Town Plan or Similar | None |
| 6 | Adopting and changing the constitution, Standing Orders for Contract and Financial Regulations | None |
| 7 | Approving Annual Budget, Precept and Medium Term Forecast. | None |
| 8 | Any delegated decision which may mean a breach of Council Policy or Budget. | None |
| 9 | Election of the Mayor, appointment of Deputy Mayor | None |
| 10 | Agreeing and/or amending the Terms of Reference for Committees, deciding on their composition and making appointment to them. | None |
| 11 | Appointment of Members or Officers to outside bodies | None |
| 12 | Members reporting back from outside bodies | Relevant Committee |
| 13 | Adopting an allowance scheme for members | None |
| 14 | Changing the name of the Town Council | None |
| 15 | Conferring the title of Honorary Aldermen or Certificates of Recognition of Outstanding Service. | None |
| 16 | Making, amending, revoking, re-enacting or adopting Bylaws, | None |



| | | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 17 | To represent the view of the local community on matters of significance | None |
| 18 | Power to make payment or provide other benefits in cases of fault of maladministration. | Finance Committee up to £1,000. |
| 19 | Appeals against any decision made on behalf of the Authority. | As set out in Personnel Policies and the Complaints Procedure. |
| 20 | Decision on issues relating to Data Protection, Access to Information, Freedom of Information and Human Rights | Town Clerk to renew data protection policy and make amendment if necessary. |
| 21 | To monitor and control the Council's Ethical Framework | Town Clerk to obtain declarations and complaints and to act as necessary for Monitoring Officer. |
| 22 | To institute or defend legal proceedings including proceedings for an injunction, to authorise the carrying out of works in default of a notice, and to lodge and appeal against any court decision. | None In the cases of urgency, the Town Clerk in consultation with The Mayor or Deputy Mayor. |
| 23 | <ol style="list-style-type: none"> 1. All powers of the Council in case of civil emergency. 2. All powers of the Council in the case of urgency. | <p>The Town Clerk in consultation with two of: The Mayor, Deputy Mayor and other Councillor</p> <p>The Town Clerk in consultation with two of: The Mayor, Deputy Mayor and other Councillor. Subject to reporting justification to the next Council meeting.</p> |
| 24 | Election issues and filling of Councillor vacancies | None |
| 25 | Power to direct as to the Custody of town documents | None |
| 26 | All duties of the Proper Officer and Responsible Financial Officer under legislation, Standing Orders, for Contract including the issue of notifications and signing documents. | Town Clerk |

Personnel Issues

| | | |
|----|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| 27 | To direct which post holders will be designated Proper Officer to the Council and Responsible Financial Officer. | None-but on recommendation of Personnel Committee. |
| 28 | To determine the overall staffing structure and approval of additional posts. | None |
| 29 | Confirming the appointment of Town Clerk | The appointment, subject to confirmation by Council is delegated to Personnel Committee. |
| 30 | Other Personnel Matters | As set out in Terms of |



| | | |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | Reference for the Personnel Committee. |
| 31 | Health and Safety – General Statement and Organisation | None Arrangement to Personnel Committee |
| Quality and Integrated Management | | |
| 32 | Conducting Best Value Reviews if appropriate | Finance Committee |
| 33 | Administration of the Complaints Procedure | As set out in Complaints Procedure |
| Finance | | |
| 34 | Authorisation of Payment of Accounts | Council/Finance Committee/Town Clerk in accordance with Financial Regulations |
| 35 | Approval of Annual Return and Statement of Accounts | None |
| 36 | Approval of Banking Arrangements | None |
| 37. | Power to approve projects on recommendation from Standing Committees and to implement with or without budget | None |
| 38 | Approval or Orders for work, goods or services | Council/Finance Committee/Town Clerk in accordance with Financial Regulations. |
| 39 | Audit Arrangements | <ul style="list-style-type: none"> - Town Clerk to manage in accordance with Financial Regulations. - Council to approve annual internal and external audit report. - Finance Committee to consider interim audit report. |
| 40 | Power to accept gifts, Local Government Act 1972, S139 | None |
| 41 | Power to participate in scheme of collective investment, Trustees Investment Act 1962, S11 | None |
| Powers of all Committees | | |
| 42 | To arrange extra meeting | Town Clerk in consultation with Chairman |
| 43 | To monitor actions on minutes of the Committee | Committee |
| 44 | To manage services for which they are responsible within an approved budget and policy | Committee |
| 45 | To authorise spending/issue works orders within budgets delegated to a committee. | Committee |
| Land | | |
| 46 | Power to acquire by agreement, to appropriate, to dispose of land LGA 1972, S124, 126, 127. | None |
| 47 | Power to accept gifts of land, LGA 1972, S139 | None |



| | | |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 48 | Power to acquire land for open spaces, Public Health Act 1875, S164; Open Spaces Act 1906, S9 and 10. | None for acquisition - Assets and Services Committee for maintenance |
| | NB Any non-financial action delegated to the Town Clerk may in his/her absence be undertaken by the Deputy after seeking relevant advice, if the matter cannot wait until the Town Clerk's return. | NB Any financial action delegated to the Town Clerk may in his/her absence be undertaken by the Deputy after seeking relevant advice, if the matter cannot wait until the Town Clerk returns. |

Delegated Services

| | | |
|----|------------------------------------------------------------------------------------------------|------|
| 49 | To take on services from other local authorities or public bodies (LGA 1972 , S101, 111 & 112. | None |
| 50 | To undertake services for another local authority or public body | None |

Definition of Strategic Overview

That part of an initiative or service which is considered necessary to define Policy and Budget.

Definition of Operational Management

That part of the service which is considered necessary in the delivery of an initiative or service which is within Policy and Budget.