



Haydon Wick Council Scheme of Delegation

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, Standing Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

The Responsible Financial Officer to the Council shall be responsible for the Parish Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

2. Proper Officer

2.1 The Parish Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- (1) To receive declarations of acceptance of office.
- (2) To receive and record notices disclosing personal and prejudicial interests.
- (3) To receive and retain plans and documents.
- (4) To sign notices or other documents on behalf of the Council.
- (5) To receive copies of by-laws made by the unitary authority.
- (6) To certify copies of by-laws made by the Council.
- (7) To sign summonses to attend meetings of the Council.

2.2 In addition, the Parish Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- (1) The day to day administration of services, together with routine inspection and control.
- (2) Day to day supervision and control of all staff employed by the Council.
- (3) Authorisation of routine expenditure within the agreed budget.
- (4) Emergency expenditure up to £2,000 outside the agreed budget.

2.3 Delegated actions of the Parish Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

3. Council

3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate committee(s) may make recommendations for the Council's consideration.

- (1) Setting the Precept;
- (2) Borrowing money;
- (3) Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- (4) Making, amending or revoking by-laws;
- (5) Making of orders under any statutory powers;
- (6) Matters of principle or policy.
- (7) Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings);

- (8) Any proposed new undertakings;
- (9) Prosecution or defence in a court of law;
- (10) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.
- (11) Confirming the appointment of the Clerk
- (12) All other matters, which must, by law, be reserved to the Full Council

4. Committees

The matters listed below are delegated to the Council's committees, sub-committees and working groups. They must be exercised in accordance with law, the Council's Standing Orders and Financial Regulations and approved policy framework and may only be exercised where sufficient budgetary provision exists or can be vired from within the approved budget of the Committee concerned.

Where a sub-committee or working group in lieu of exercising its delegation refers a matter to its parent committee the delegation is exercisable by the committee. Nevertheless the committee may decide not to exercise this delegated power and may instead make a recommendation to the Council.

4.1 The Policy & Finance Committee shall consider and determine the following matters:

- Matters of Council administration and policy.
- Consideration of the Council's budget and recommendation of consolidated finance requirements.
- Budgetary control.
- Matters properly referred from other Committees within the requirements of Standing Orders.
- Financial Grants.
- Staff Establishment – to make recommendations and to receive reports by the Standing Personnel Sub-Committee.
- To approve the annual Corporate Performance Plan and arrangements for its Publication
- To consider Service Reviews for all services and to report recommendations to Council at the conclusion of the matters reviewed.
- To deal with any other relevant issue arising from the implementation of Best Value legislation.
- Fund & Investment Monitoring
- Land acquisition and disposal recommendations
- To maintain the Council Office
- GDPR & Freedom of Information Requests
- Community Safety
- Legal proceedings
- Insurances and claims
- Resolve Grievance & Disciplinary
- Councillor disputes and code of conduct breaches
- Delegated authority to authorise budgeted expenditure up to £10k

4.2 The Amenities & Leisure Committee shall consider and determine the following matters:

- To maintain all recreation grounds, parks and public open spaces and to initiate and supervise all matters of control properly associated with this recreation function.
- To maintain and supervise the Council's allotments.
- To maintain and supervise all sports and recreational activities upon any recreation ground or other recreational open space and building erected for such purposes thereon.
- To deal with all other matters relating to amenities and the environment, including horticulture (trees, bulbs, flowers, shrubs etc).
- To maintain the Parks & Open Spaces Depot.
- To maintain the Memorials in the Parish

- Consideration of the arts within open spaces
- Funding partnerships to provide, upgrade and improve recreation and open space facilities
- Community partnerships with Police and Groups to alleviate anti-social behaviour and vandalism.

4.3 The Planning & Highways Committee shall consider and determine the following matters:

- To comment on planning applications received from the local planning authority
- Licensing matters
- Any other matter which may be delegated to it by the Council from time to time
- To comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate
- To comment to other authorities on public transport, parking and regeneration issues
- To comment and where appropriate, work on public footpaths and bridleways

4.4 A Committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes.

5. Sub Committees

5.1 The Personnel Sub-Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- Hearings for grievance, disciplinary and capability matters for the Parish Clerk and senior managers only in accordance with the Councils grievance and disciplinary procedure.
- Dealing with any grievance, disciplinary and capability matters for the Parish Clerk and senior managers only to a final conclusion, only reporting to Council when the time for any appeal has passed.
- Appraisal of the Parish Clerk.

Policy on the following matters is reserved to the Policy & Finance Committee for decision but the sub-committee may also make policy recommendations relating to:

- Salaries;
- Conditions of service;
- Staff levels;
- Consideration of staffing reviews.

In order to ensure as far as possible that such matters as appraisal, grievance, disciplinary and capability issues are dealt with professionally and in accordance with employment legislation, all members of the Personnel Sub-Committee must agree to undertake training in these matters.

Other standing sub-committees may be formed by resolution of the Council at any time under Standing Order 4a and delegated powers may be decided upon at the time the sub-committee is formed by means of a minute detailing the terms of reference.

6. Working Groups/Parties

6.1 Working groups/parties may be formed by resolution of the Council or a committee at any time. The work of such a working group/party will be decided upon at the time it is formed by means of a minute detailing the terms of reference. Each working group/party will report back with recommendations to the Council or the committee that formed it.

7. Urgent Matters

(1) In the event of any matter arising which requires an urgent decision the Parish Clerk shall consult the Chairman or in their absence, the Vice Chairman of the Council and the Chairman of the Policy & Finance Committee and with the concurrence of those member(s) shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

(2) Before exercising the delegated powers granted by paragraph 7 (1) above, the Parish Clerk and those members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a special meeting of the appropriate committee and where a meeting is so summoned the committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

(3) Before exercising the delegated powers granted by paragraph 7(1) above, the committee concerned shall consider whether the matter is of sufficient import to justify recommending to the Mayor that a special meeting of the Council should be called in accordance with Standing Order 6a.

(4) Any action is taken under this Standing Order must recorded in writing and made available for inspection by any member of the Council. Full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meetings of the Committee concerned and of the Council.

8. Delegation - Limitations

8.1 Committees and sub-committees shall, at all times, act in accordance with the Council's standing orders, financial regulations and this scheme of delegation and, where applicable, any other rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.

Version Control

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| HWPC Scheme of Delegation | Georgina Morgan-Denn Clerk to Council | Adopted at Full Council meeting on 18 June 2019 FC36.8 | Reviewed annually |
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