

| Policy Name | Frequency of Review | Date adopted & Minute Ref |
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| Scheme of Delegation | Annual | 6 th February 2019 Minute 18/170 |
| | Annual | 3 rd March 2021 Minute 20/229 |
| | Updated following recommendation that IT Subcommittee is moved from GMCC to F&GP Committee | 1 st Sept 2021 Minute 21/080 |
| | Updated following Council approval that Personnel Subcommittee should become Staffing Committee | 3 rd November 2021 Minute 21/130 |
| | Annual | 8 th June 2022 Minute 22/064(2) |
| | Annual | 15 th May 2023 Minute 23/007(1) |
| | Update to confirm Clerk's delegated authority to respond to planning applications | 4 th October 2023 Minute 23/173 2(b) |
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Bourton-on-the-Water Parish Council

SCHEME OF DELEGATION

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, 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 the Parish Clerk who is ultimately responsible for the Parish Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time. Any personnel recruited to assist with financial administration will report directly to the Parish Clerk.

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 bye-laws made by the unitary authority.
- (6) To certify copies of bye-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 management of all staff employed by the Council;
- (3) Authorisation of expenditure up to £1,500;
- (4) The Clerk has delegated authority to respond to planning application consultations. This can occur either:
 - (i) When a late application is included as an agenda item at Planning Committee and a response agreed at the meeting, or
 - (ii) If a planning application is received in between meetings and the deadline for response does not allow for a meeting to take place and an extension to deadline cannot be obtained. If an outline response can be agreed by councillors via email then this can be finalised and submitted by the Clerk. In this scenario, if a consensus of opinion cannot be reached via email then a response will not be submitted outside of a meeting.
- (5) The Clerk has delegated authority to respond to CDC's tree applications which are on a 7-day response time.

2.3 Delegated actions of the Parish Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation, and subject to 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) Approving Governance Statements;
- (3) Borrowing money;
- (4) Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- (5) Making, amending or revoking bye-laws;
- (6) Making of orders under any statutory powers;
- (7) Matters of principle or policy.
- (8) Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings);
- (9) Any proposed new undertakings;
- (10) Prosecution or defence in a court of law;
- (11) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the village, excluding those matters specific to a committee;
- (12) The appointment or termination of staff.

4. Committees

- The term of office for all committees is 1 year, unless specifically stated otherwise;
- All committees benefit from delegated powers in respect of the authorisation of expenditure provided for in their approved budget; with the exception of expenditure in excess of £20k which requires separate Council approval;
- With due regard to Health and Safety legislation, all committees must identify and assess any risks associated within their remit and, where needed, identify and instruct mitigating actions;
- All committees may authorise correspondence that will not, in itself, result in Council expenditure or bind the Council to any course of action, except for that already approved or provided for in the annual budget;
- A Committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes and may refer major or contentious matters to Council with recommendations;
- All committees must present minutes to Council each month for information, consider and agree projects/activities on an annual basis and prepare by November in each year project any budget proposals for the following financial year, for Council's approval.

4.1 The (FGC) Finance and Governance Committee shall consider and determine the following matters:

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| Number of seats: | 6 (increased to 7 to allow non-chair representation, if required) |
| Membership: | To include Chairs of Committee & Chairman & Vice Chairman of Council who will automatically become Chairman and Vice Chairman of the FG Committee |
| Quorum: | 4 to include the Chairman or Vice Chairman |
| Frequency of meetings: | Quarterly |
| Delegated powers: | Yes, subject to restrictions set out in section 3. |

- Monitor, manage, and make recommendations to Council in respect of financial matters;
- Prepare the draft annual budget and submit to Council for approval, to include making recommendation regarding the Precept;
- Ensure that an adequate and effective system of internal control is in place to secure the integrity of finances and any other information/data;
- Review, at least quarterly, performance against budget and take any necessary action;
- Maintain adequate levels of financial reserves and manage Council's investments;
- Report and refer other matters to full Council for approval/expenditure;
- Review all policies relevant to the committee within each policy's agreed timescales and make recommendations to Council for approval;
- Consider and take appropriate action on all reports arising from internal and external auditors;
- Take steps to identify and update key risks facing the Council, and to decide upon appropriate measures to avoid, reduce or control those risks or their consequences;
- Ensure that the council complies with its legal obligations e.g. data protection, freedom of information, transparency etc;

Consider and make decisions on recommendations from the IT & Data Sub-Committee.

4.2 The (VEC) Village Environment Committee shall consider and determine the following matters:

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| Number of seats: | 7 |
| Quorum: | 3 to include to the Chairman or Vice Chairman of the Committee |
| Frequency of meetings: | Approx 5 weekly |
| Delegated powers: | To spend within budget for items up to £4,999 as per Financial Regulations |

- Maintain in good order the village greens, signs, cemetery, and allotments within the village boundary;
- Manage, monitor and spend sums in the approved Committee budget subject to the Committee's minuted decision;
- Exercise the Council's statutory powers and duties in relation to the provision of Village Environment.

4.3 The (YWC) Youth & Wellbeing Committee shall consider and determine the following matters.

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| Number of seats: | 7 |
| Quorum: | 3 to include the Chairman or Vice Chairman of the Committee |
| Frequency of meetings: | Approx 6 weekly |
| Delegated powers: | To spend within budget for items up to £4,999 as per Financial Regulations |

- Maintain in good order the recreation grounds, Youth Club and maintain and promote wellbeing in the community;

- Manage, monitor and spend sums in the approved Committee budget subject to the Committee’s minuted decision;
- With due regard to Health and Safety legislation, identify and assess any risks associated with the Committee’s remit and, where needed, identify and instruct mitigating actions;
- Exercise the Council’s statutory powers and duties in relation to the provision of Youth & Wellbeing;
- Prepare bids and where successful to deliver projects, in Youth, Health and Wellbeing at any time in the year as funding opportunities, or as identified needs arise.

4.4 The (HC) Highways Committee shall consider and determine the following matters.

Number of seats: 7
 Quorum: 3 to include the Chairman or Vice Chairman of the Committee
 Frequency of meetings: Approx 5 weekly
 Delegated powers: To spend within budget for items up to £4,999 as per Financial Regulations

- Comment on consultations from national, county or district authorities that are likely to have an impact on the village in respect of all highway issues;
- Be proactive in the development of the village’s highway infrastructure with the object of improving the aesthetic and amenity quality of the village’s highways and footpaths. This includes all highway related matters including street lighting, car parks, scheduled footpaths and bridleways, highways obstructions;
- Support, promote and encourage conservation and sustainability of renewable and non-renewable energy and other resources;
- Monitor the collection of litter within the village, provide or renew general or dog litter bins where necessary and support and encourage re-cycling schemes;
- Make provision for adverse weather;
- Work proactively with various authorities such as county and district councils, utility companies, parking enforcement agencies and the Police in all matters relating to highways, traffic and litter;
- Support other committees as and when appropriate;
- Manage, monitor and spend sums in the approved Committee budget subject to the Committee’s minuted decision;
- Respond to relevant applications and consultations in a timely manner.

4.5 The Planning Committee shall consider and determine the following matters:

Number of seats: 7
 Quorum: 4 to include the Chairman or Vice Chairman of the Committee
 Frequency of meetings: Three weekly
 Delegated powers: Yes

- Comment on planning applications and other consultations received from the Local Planning Authority as a Statutory Consultee, taking into account the development of the parish’s infrastructure, improving the aesthetic and amenity quality of the village whilst supporting conservation and the sustainable use of resources;
- Comment on Licensing matters and other applications received from the Licensing Authority;
- Comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as appropriate;
- Consider all issues relating to Flooding and local flood defences;
- Respond to planning applications and consultations in a timely manner;
- Co-opt suitable community and/or outside representatives onto the committee, as necessary.

4.6 The (GMCC) George Moore Community Centre Committee shall consider and determine the following matters:

Number of seats: 5
 Quorum: 3 to include the Chairman or Vice Chairman of the Committee
 Frequency of meetings: Quarterly
 Delegated powers: To spend within budget for items up to £4,999 as per Financial Regulations

- Manage, monitor and authorise expenditure in the approved Committee budget subject to the Committee’s minuted decision;
- Maintain in good order the George Moore Community Centre building and all land and assets on that site in the ownership of the Council in accordance with legislation relating to the provision of community buildings;
- Make decisions in all matters relating to commercial and residential tenants, including leases;
- Make decisions in all matters relating to hire of the public rooms, including setting and reviewing room hire rates and conditions;

- 4.7 The Staffing Committee may consider and make reports to full Council in respect of the following matters:
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| Number of seats: | 5 Members to include the Parish Council Chairman and Vice Chairman who will also be Chairman and Vice Chairman of the committee |
| Quorum: | 3 |
| Frequency of meetings: | As required |
| Delegated Powers: | Yes |

Consider and make decisions to ensure the Council acts as a good employer and is compliant with employment legislation in all matters relating to staffing issues, including:-

- Ensuring that the Council is adequately staffed to meet its requirements and make decisions regarding staffing levels;
- Ensuring that the Council complies with employment law and that working conditions are of an acceptable standard;
- Ensuring that appropriate training is made available and completed;
- Undertaking an annual appraisal of the Clerk and receiving/considering the Clerk's appraisal of all other staff;
- Making recommendations on all matters associated with staff salaries, pensions and income tax;
- Reviewing staff contracts as required and making recommendations to Council, as required;
- Administering the disciplinary and grievance procedure if required;
- Making recommendations to Council re staff appointments or terminations;

5. Sub Committees

No Sub-Committees will benefit from delegated powers.

- 5.1 The IT and Data Subcommittee has the power to make recommendations to its parent Committee, which is the Finance & Governance (FGC) Committee or, by agreement, directly to the Council as set out below.

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| Number of seats: | 4 |
| Quorum: | 3 |
| Frequency of meetings: | As required and 6 monthly as a minimum |

- Establish and maintain in good order the Communications & Information Technology systems in the George Moore Community Centre for use by Council Staff and Officers and those renting short-term access to its meeting rooms and facilities;
- Ensure that Council is compliant with website accessibility requirements;
- Council-owned PCs/Equipment for Councillors: In special cases where a councillor does not have a Windows laptop the Parish Council will purchase them a loan machine and allow provision for technical support. Applications to be proposed by the IT Sub Committee on a case-by-case basis, for approval by full Council.
- With due regard to Health and Safety legislation, GDPR, identify and assess any risks associated with the Subcommittee's remit and, where needed, identify and instruct mitigating actions;
- Make the relevant decisions on behalf of the Council and its Finance and Governance Committee, for the overall responsibility of the above, and when felt appropriate, to refer matters upwards for approval;
- Authorise correspondence that will not, in itself, result in Council expenditure or bind the Council to any course of action, except for that already approved or provided for in the annual budget;
- Present Minutes to the Finance and Governance Committee after each Subcommittee meeting and to report, in the interim, regarding emergency approvals as and when required;
- Consider and agree projects/activities on an annual basis;

- 5.2 Other sub-committees may be formed by resolution of the Council by means of a minute detailing its 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 Committee that formed it.

7. Urgent Matters

- 7.1 In the event of any matter arising which requires an urgent decision, the Parish Clerk shall consult the Chairman or, in his absence, the Vice Chairman of the Council and with the concurrence of the relevant member shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 7.2 Any action is taken under 7.1 must be 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, bye-laws or orders made and with any directions given by the Council from time to time.
- 8.2 All matters, unless time critical, must be discussed and agreed in Committee or by Council before action is delegated or taken. Committee members are only authorised to progress actions which are specifically delegated to them in Committee or Council minutes, which should be clear in their instruction.
9. Councillors on Outside Bodies – To be reviewed annually to bring in line with the Parish Council committees.