

Tendring Parish Council

Scheme of Delegation for Committees and Officers

This Scheme of Delegation and Terms of Reference sets down how decisions are made by Tendring Parish Council.

Legal Context

Under s101 (1) of the Local Government Act 1972, a parish or town Council may arrange for any of its functions to be discharged by a committee, sub-committee or officer.

The purpose of this document

This Scheme of Delegation sets down how decisions are made by Tendring Parish Council and which committees and officers are responsible for certain decisions and budgets, in association with committees' Terms of References.

Introduction

Pursuant to s101 (1) of the Local Government Act 1972, Tendring Parish Council has arranged for certain functions to be discharged by its committee(s) and the Parish Clerk.

Decisions are delegated to committees and officers to expedite the efficient delivery of the Council's functions

Matters reserved to the Full Council

The following matters are reserved to the Council for decisions, notwithstanding that the appropriate committees may make recommendations for the Council's consideration.

- a. Setting the Parish Precept and adopting the Budget
- b. Approving any variation between budgets (excluding the Council's Reserves budgets)
- c. Borrowing money
- d. Setting fees and charges
- e. Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation
- f. Making, amending or revoking by-laws
- g. Making of orders under any statutory powers
- h. Matters of principle or policy
- i. Nomination and appointment of representatives of the Council to any other authority, organisation or body
- j. Any proposed new undertakings
- k. Prosecution or defence in a court of law
- l. Nomination or appointment of representatives of the Council at any enquiry on matters affecting the Parish, excluding those matters specific to a committee
- m. The adoption of a Neighbourhood Plan
- n. Appointment or dismissal of the Clerk & RFO

Committee(s) in general

The Council has established the following committees for the purposes of efficient decision making:

- a. Personnel Committee

Personnel Committee

The Personnel Committee shall have the following delegated functions:

- a. The Committee is to manage all aspects relating to any or all Personnel matters including pay reviews, grievance and disciplinary matters.
- b. The Committee has no power to commit the Parish Council.
- c. Any orders for goods/services must be approved by the Parish Council in accordance with its financial regulations and procedures
- d. The Committee has no decision making capabilities
- e. The Committee may only act in an advisory capacity to the Parish Council
- f. The Committee may consult with authorities and organisations as required.

The Parish Clerk and 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.

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

- a. To receive declarations of acceptance of office.
- b. To receive and record notices disclosing personal and prejudicial interests.
- c. To receive and retain plans and documents
- d. To sign notices or other documents on behalf of the Council.
- e. To receive copies of byelaws made by the District Council.
- f. To certify copies of byelaws made by the Council.
- g. To sign summons to attend meetings of the Council

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

- a. The day-to-day administration of services, together with routine inspection and control.
- b. Authorisation of routine expenditure within the agreed budget
- c. Emergency expenditure as outlined in Financial Regulations

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

Other Committees, sub-committees and working groups.

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

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.

Urgent Matters

In the event of any matter arising which requires an urgent decision, the Parish Clerk shall consult with the Chair and Vice Chair of the Council, and shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

Before exercising the delegated powers granted, the Parish Clerk and those members consulted, shall consider whether the matter is of sufficient importance to justify the summoning of a special meeting of the Council in respect of the particular matter then under consideration.

Any action taken under this Scheme of Delegation 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 Council.

Delegation – Limitations.

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 policies, rules, regulations, schemes, and with any directions given, by the Council.

This Policy was adopted on 27th May 2025

Next Review: May 2026