



Dummer Parish Council

Scheme of Delegation

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This Scheme of Delegation sets out the agreements by which Dummer Parish Council allows delegation of authority, to whom, and under what circumstances. This Scheme of Delegation runs alongside the Council's Standing Orders, Financial Regulations and Code of Conduct.

1. Responsible Financial Officer

The Responsible Finance Officer (RFO) to the Council shall be responsible for the Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time. The duties of the RFO are:

- Operating the Council's banking arrangements;
- To pay all accounts properly incurred;
- To pay all subscriptions to organisations to which the Council belongs;
- To make all necessary arrangements for the provision of an internal and external audit service for the Council;
- To incur expenditure on revenue items within the approved estimates and budgets;
- To carry out virement of sums between cost centres in accordance with the Council's Financial Regulations;
- To manage investments;
- To authorise action for the recovery of debts;
- Maintain a Register of Assets and Inventory of Equipment.

2. Proper Officer

Delegated actions of the Clerk to the Council shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and in line with directions given by the Council. The Clerk's use of delegated powers shall be reported to the next meeting of the full Council.

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

- Receive declarations of acceptance of office;
- Receive and record notices disclosing interests;
- Receive and retain plans and documents;
- Sign notices or other documents on behalf of the Council;
- Receive copies of bylaws made by a principal local authority;
- Certify copies of bylaws made by the Council;
- Draw up agendas;
- Sign summons to attend ordinary meetings of the Council;

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

- Day to day administration of services, together with routine inspection and control;
- Day to day supervision and control of all staff employed by the Council;

- Authorisation to respond to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees;
- Authorisation of routine recurring expenditure within the agreed budget;
- Authorisation of expenditure on works up to a maximum of £2,500 within the agreed budget;
- Authorisation of emergency expenditure up to £2,500 outside of an agreed budget;
- In consultation with the Chairman of the Council and/or Vice-Chairman, authorise emergency expenditure up to an additional £5,000;
- In consultation with the Chairman of the Council and/or Vice-Chairman, make any urgent decisions on behalf of the Council.

3. Proper Office Delegated Powers for Planning Matters

Whilst it is preferable to resolve planning application consultations at a council meeting. The intention of this section is to allow the Clerk to submit a delegated response at the request of Councillors to a planning consultation when a deadline to respond will expire before the next meeting, an extension to reply is not granted and there is a general consensus from the council on the consultation response.

This scheme of delegation potentially avoids the need to hold an extraordinary meeting and avoids the risk of not being able to submit a response where an extraordinary meeting can not be held:

- In the event that a planning consultation request is received before a meeting, but is not listed as an item of business on an agenda, the council may direct the Clerk to submit a delegated response to the consultation request with a member poll during a full council meeting. The Clerk is authorised to use this poll from council members at a council meeting, to submit a delegated response;
- Outside of a meeting, where a deadline to respond will expire before the next council meeting, planning applications shall be received by the Clerk who will provide details to Councillors. (For example sending an email poll with a link to the BDBC planning application to councillors);
- Councillors will be given a time limit to respond. If no response has been received from a councillor within a requested time limit this absence of response will not be considered for assessing a joint decision;
- When the Clerk considers that there is a consensus in the responses received from council members, and that at least three members have responded, the Clerk shall be delegated to inform the Planning Department within the time allocated of the response of the Council:
 - The Clerk may identify a consensus on whether Councillors: support / object / do not object to a planning application, separately to any additional comments;

- The Clerk may identify a consensus on any additional comments to submit. Comments may be left off a delegated response by the Clerk if there is no consensus on such comments;
 - The Clerk may seek further confirmation from members by emailing a draft of the delegated response to all members for feedback before submitting to the Planning Department.
- All Councillors will report directly back to the Clerk thereby avoiding discussion between members;
- If the Clerk has any reservation about submitting a delegated response, the Clerk will no longer proceed with a delegated response;
- If any one councillor responds with a request to defer the decision to a council meeting, the Clerk will no longer proceed with submitting a consultation response under the scheme of delegation;
- If multiple responses are received from any one councillor, only the most recent response may be considered;
- Where queries arise the Chair may call an extraordinary meeting to decide upon the application, adhering strictly to legal procedures. If a consultation request is subsequently resolved at a legally convened meeting, the Clerk will no longer proceed with a delegated response.

4. The Council

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

- Levying or issuing a precept;
- Borrowing money;
- Approving the Council's annual accounts;
- Considering an auditor's report made in the public interest;
- Adopting or revising the Council's Code of Conduct;
- Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation;
- Making, amending or revoking by-laws;
- Making of orders under any statutory powers;
- Matters of principle or policy;
- Nomination and appointment of representatives of the Council to any other authority, organisation or body;
- Any proposed new undertakings;
- Prosecution or defence in a court of law
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the parish, excluding those matters specific to a committee.

5. Committees

a) Finance Committee

If required, the Finance Committee shall comprise of The Clerk and at least 2 members of full Council. The Finance Committee shall consider and determine the following matters:

- Budgetary control;
- Recommendation of financial requirements;
- Any other matter which may be delegated to it by the Council from time to time.

b) Staffing Committee

If required, the Staffing Committee shall comprise of The Clerk (unless the subject of delegation is directly involving The Clerk), The Chair/Vice-Chair and 2 other members of full Council. The Staffing Committee shall consider and determine the following matters:

- Staff establishment;
- Human Resources policies and procedures;
- Arranging the appraisal of the Clerk;
- Any other matter which may be delegated to it by the Council from time to time .

The Staffing Committee may also make recommendations relating to:

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

6. Policy Review

This policy will be reviewed annually to ensure its relevance and effectiveness. Updates may be made to address best practice and legislative changes.