

# Little Waltham Parish Council

## Scheme of Delegation

### 1. Introduction

This document sets out the way in which Little Waltham Parish Council (the Council) shall delegate powers and responsibilities to the Clerk and if relevant standing committees. The Power to delegate functions is set out in Section 101 of the Local Government Act 1972. The intention of this scheme of delegation is to allow the Council to act with all reasonable speed and to enable the Council to continue to function at times of emergency when it may not be possible for the Council to meet to make sure that the Council can continue to run in an effective manner.

### 2. Proper Officer and Responsible Financial Officer

2.1 The Clerk is the appointed proper officer and Responsible Financial officer for the Council.

As proper officer the Clerk is specifically authorised to

- Receive declarations of acceptance of office
- Receive and record notices from Councillors disclosing interests
- Receive and retains plans and documents
- Sign notices and other documents on behalf of the Council
- Sign and issue summonses to attend meetings of the Council
- Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by the Chairman or Councillors is signed by them)

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

- The day-to-day administration of services and putting into effect the decisions of the Council.
- Dealing with correspondence where the views of the Council are known following a previous discussion or resolution
- To handle all requests for information under the Freedom of Information Act 2000 and the Data Protection Act and GDPR regulations
- Issuing press releases with reference to the Council's considered position.
- Updating information onto the Parish Council's website and Facebook page
- The day-to-day supervision and control of all staff employed by the Council
- To liaise with and if required instruct all contractors on a day-to-day basis following the award of any contract in accordance with the terms of the contract. Any change or variations shall only be instructed, following discussion with at least 2 Councillors to be reported to the next meeting of the Council.
- To take action on any issue of such urgency that it cannot wait until the next normal Council meeting. The Clerk would normally be

expected to consult the Chairman or Vice-Chairman (if the Chairman is not available) to take his/her view into account.

- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure subject to a limit of £500.00.
- To take action in relation to minor repairs up to a cost of £500 and to report minor matters to the relevant authority where relevant.
- Subject to the authorisation by two Councillors named on the relevant bank mandate, to arrange routine expenditure including salary payments within the agreed budget and more particularly set out in the list of routine payments approved each financial year in accordance with the terms of the Financial Regulations and subject to such payments being presented at the next meeting of the Parish Council. In addition, to make payments that have previously been resolved to be paid by the Council.

### **3. Delegated Powers regarding planning**

All planning applications are received by the Clerk and circulated to Councillors to enable a response to be made upon consideration of the application by Councillors at the following Parish Council meeting and within the deadline (including extended deadlines) provided by the planning authority

In accordance with minute number 21/68.4 the Clerk shall be delegated to inform the planning department of the planning authority within the time allocated of the response of the Council. So that the Clerk is fully apprised of the views of the Parish Council to be communicated to the planning authority and has a record of the same, all Councillors will report directly back to the Clerk within any timescale requested. This will also avoid discussion between members.

In the event that there is no majority agreement on the response, or complex issues or queries arise the Chairman shall decide whether to call an extra-ordinary meeting.

In addition, in consultation with the Chairman, the Clerk may bring to the attention of the planning authority any actual or suspected breach of planning control which comes to the attention of Councillors or the Clerk.

### **4. Personnel Committees**

The Council has a constituted Personnel committee and from time to time and as required may decide by way of resolution to delegate authority to make specific decisions relating to staff and their employment. Where relevant, such decisions shall be made strictly in accordance with the Council's Disciplinary and Grievance procedures and with reference to all duties of confidentiality relating to staff.

### **5. Limitations to Delegation**

All delegated actions shall be in accordance with Standing Orders, Financial Regulations and other approved policies of the Council and where relevant in line with resolutions made and directions given by the Council from time to time and shall be reported to the next available Council meeting.

The Council may delegate the power to make individual specific decisions on particular individual items to the Clerk and its committees as and when appropriate by way of resolution.

This policy shall be reviewed on an annual basis, usually at the annual meeting of the Council.

This policy was approved at the meeting held on 6 April 2021

Reviewed 5 May 2022, 14 May 2024

Date of next review: May 2025