Woodbury Parish Council

Scheme of Delegation

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1. Introduction

1.1 This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees and Working Groups of the Council to act with delegated authority in the specific circumstances detailed.

1.2 This Scheme of Delegation forms part of the Council's suite of policies and procedures and runs alongside the Standing Orders, Financial Regulations and Code of Conduct as adopted by the Council. The document will be reviewed at least annually or earlier, such as if there is a change in staffing.

1.3 The power allowing the Council to delegate functions is contained within the Local Government Act 1972, s 101.

1.4 Separate Terms of Reference will detail the full delegation for each Committee and Working Group.

2. Proper Officer and Responsible Financial Officer – Duties and Powers

2.1 Responsible Financial Officer

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

2.2 Proper Officer

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

2.2.1.1 Receive declarations of acceptance of office;

2.2.1.2 Receive and record notices from Councillors disclosing interests;

2.2.1.3 Receive and retain plans and documents;

2.2.1.4 Sign Notices or other documents on behalf of the Council;

2.2.1.5 Receive copies of Byelaws made by the District/ County Councils;

2.2.1.6 Certify copies of Byelaws made by the Parish Council;

2.2.1.7 Sign and issue summonses to attend meetings of the Council;

2.2.1.8 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 Councillors is signed by them); and

2.2.1.9 Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office.

2.2.1.10 To handle requests for information under the Freedom of Information Act 2000 and the Data Protection Act and GDPR regulations;

2.2.1.11 Issuing press releases with reference to the Council's considered

position.

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

2.2.2.1 Day to day administration of services, together with routine inspection and control;

2.2.2.2 Day to day supervision and control of all staff employed by the Council;

2.2.2.3 Authorisation to spend up to £500 on training within the financial year;

2.2.2.4 Dealing with dispensation requests from members, under the Code of Conduct;

2.2.2.5 Applying for grants and other funding on behalf of the Council;

2.2.2.6 Dealing with such matters as specifically delegated by the Council or committee;

2.2.2.7 Authorisation of routine expenditure within the agreed budget; and

2.2.2.8 Emergency expenditure up to £1,000 outside of the agreed budget;

2.2.2.9 Authorisation to hold £250 petty cash for sundries and other day to day expenditure;

2.2.2.10 Updating information onto the Parish Council's website and social media platforms;

2.2.2.11 Authorisation ot respond immediately to any correspondence, requiring or requesting information relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council or its Committees; a holding email/letter would be sent in this instance.

2.2.3 Delegated actions of the Clerk to the Council 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. The Council

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

3.1.1 Setting the annual Precept;

3.1.2 Borrowing money;

3.1.3 Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation;

3.1.4 Making, amending or revoking Bye-laws;

3.1.5 Making of Orders under any Statutory powers;

3.1.6 Matters of principle or policy;

3.1.7 Nomination or appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);

3.1.8 Any proposed new undertakings;

3.1.9 Prosecution or defense in a court of law;

3.1.10 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;

3.1.11 Approving the Annual Return;

3.1.12 Confirming eligibility to exercise the General Power of Competence.

4. Standing Committees

4.1 The **Staffing, Finance & Policy Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

4.1.1 All matters relating to Finance with the exception of those at paragraph 2.1.1 and 2.2.1;

4.1.2 Partnership working;

4.1.3 Grants and donations;

4.1.4 To make recommendations to Council on the budgets of all Standing Committees;

4.1.5 All matters relating to staff, based on recommendations made. This Committee may decide it wishes to refer such matters to the Council for final decision, subject to the matters reserved for final decisions for legal reasons;

4.1.6 All decisions shall be in accordance with Disciplinary and Grievance procedures and with reference to all duties of confidentiality relating to staff;

4.1.7 General administration.

4.2 The **Planning Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

4.2.1 To comment on planning applications received from the Planning Authority

4.2.2 Street naming;

4.2.3 Licensing matters;

4.2.4 Any other matter which may be delegated to it by the Council from time to time;

4.2.5 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.

4.3 The **Asset and Estates Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

4.3.1 Maintenance and repair of the Green (Woodbury), Old and New Plantations in Woodbury Salterton plus oversea the Cricket Field / dog area, Orchard and Woodbury Playing Fields;

4.3.2 Maintenance and repair of all play areas in the parish;

4.3.3 Maintenance and repair of the car park and toilets in Flower Street;

4.3.4 Consideration of the sporting facilities provided in the Parish;

4.3.5 Issues relating to roads and adjoining footways;

4.3.6 Issues relating to trees or hedges on or adjacent to the public highway;

4.3.7 Traffic issues;

4.3.8 Street furniture;

4.3.9 Public Open Spaces on the highway;

4.3.10 Grounds maintenance of the highway;

4.3.11 Maintenance and repairs of the Allotments in Woodbury / Woodbury Salterton;

4.3.12 Charging of allotment fees.

4.4 The **Gulliford Joint Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

4.4.1 Maintenance and repair of the Gulliford Cemetery

5. Working Groups

5.1 Working Groups may be formed at any time. The work of such a Working Group will be decided upon at the time it is formed. Each Working Group will report back with recommendations to the Council or Committee that formed it.

6. Delegation Limitations

6.1 Committees shall, at all times, act in accordance with the Council's Standing Orders, Financial Regulations, Code of Conduct, Scheme of Delegation and specific Terms of Reference. Where applicable, any other rules, regulations, schemes, statutes, Byelaws or orders made, directions given by the Council must be adhered to at all times.

Approved: 13th November 2023

Reviewed: Annually