

BURTON OVERY PARISH COUNCIL

SCHEME OF DELEGATION

POLICY NUMBER	ADOPTED DATE	REVIEW DATE
4	JUNE 2023	JULY 2027

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1. INTRODUCTION

1.1 Local Councils carry out functions and provide services within the context of what the relevant legislation permits them to do. With some particular exceptions, Local Councils may delegate these functions to committees, sub committees, officers, or other authorities.

1.2 The power to delegate functions by local councils is set out in the Local Government Act 1972, S.101.

1.3 The aim of this document is to clarify the manner in which Burton Overy Parish Council has delegated its powers and the authority to spend and commit funds on behalf of the Council.

2. DELEGATION ARRANGEMENTS

2.1 Council

2.1.1 Certain functions cannot be delegated and are therefore reserved to the full Council, although an appropriate committee may make recommendations thereon for the Council's consideration.

2.1.2. Functions that are reserved to a meeting of the full Council are: -

- Setting the precept and approval of the Council's budget,
- Approval of the Annual Accounts,
- Completion of the Annual Return and the Annual Governance Statement,
- Consideration of an Auditor's report made in the public interest,
- The making, amending or revoking of Standing Orders, Financial Regulations and this Scheme of Delegation,
- Adoption or revision of the Council's Code of Conduct,
- To appoint committees or sub-committees,
- To Appoint the Clerk of the Council (Proper Officer),
- To appoint the responsible Finance Officer (who may also be the Clerk),
- Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence,
- Determination and review of the Bank Mandate,
- Matters of principle or policy,
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish,
- The making, amending or revoking of bye-laws
- Agreement to write-off bad debts

- Authorisation as to the terms and purpose of any application for Borrowing Approval and subsequent arrangements for the loan.
- Approval of any financial arrangement which does not require formal borrowing approval from the Secretary of State (e.g. hire purchase or leasing of tangible assets)
- Approval of purchase, acquisition by other means, lease, sale or disposal of interests in land or buildings,
- Approval of the virement of unspent and available amounts to other budget headings or reserves
- Approval of changes in earmarked reserves as part of the budgetary process.

2.2 Clerk

2.2.1 The Clerk to the Council shall be the Proper Officer and carry out the functions of the Proper Officer as provided by the Local Government Act 1972 and as set out in the job description for the post.

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

2.2.3 The Clerk is specifically authorised to:

- Receive declarations of acceptance of office,
- Receive and publish Members' Registers of Interest,
- Receive and grant Disclosable Pecuniary Interest (DPI) dispensations after consulting with the District Council's Monitoring Officer; details of all dispensations received and granted to be reported to the Council at the next available meeting,
- Sign and serve on councillors a summons with an agenda to attend Council and committee meetings,
- Convene a meeting of the Council if a casual vacancy occurs in the office of the Chairman,
- Sign notices or other documents on behalf of the Council,
- Receive and retain plans, notices and documents.

2.2.4 In addition, the Clerk is authorised to undertake the day-to-day administration of the Council, to include:

- Calling extra meetings of the Council or any committee or sub-committee as necessary, having consulted with the appropriate chairman, except those called by the Chairman or members in accordance with Standing Order 6.
- Issuing press releases and statements to the press on the Council's known policies, subject to the provisions of the Council's Press and Media Policy.
- Updating and managing the content on the Council's website,
- Making arrangements for the maintenance of the Council's IT facilities,
- Disposal of Council records according to legal restrictions and the agreed retention and disposal arrangements,
- Handling requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- in the first instance, acknowledging and handling all complaints regarding the council (except where the complaint relates to the clerk),
- Purchasing basic office equipment and supplies,
- Arranging emergency repairs to Council premises (subject to the council's standing orders and financial regulations),
- Taking appropriate action arising from other emergencies in consultation with the

Chairman/Vice Chairman of Council or committee chairman as is appropriate to the circumstances,

- Managing all employees of the council (excluding any variation to employment contracts) and taking disciplinary action, excluding termination of employment, under agreed procedures;
- Making arrangements to pay salaries/wages and expenses to all employees of the Council, (subject to the Council's financial regulations);
- Authorising routine recurring expenditure within the agreed budget,
- Virement between cost centres, provided total expenditure will not exceed the Council's approved annual budget,
- Authorising payment for items below £250 in accordance with the Financial Regulations,
- Incurring emergency expenditure up to £250 whether or not there is budgetary provision in accordance with the provisions of the Financial Regulations.

2.3 Responsible Financial Officer (RFO)

2.3.1 The Responsible Financial Officer (RFO) of the Council is responsible for the Parish Council's accounting procedures and financial records and is accountable for the proper and transparent administration of its finances, in line with the current Account and Audit Regulations and the Council's adopted Financial Regulations.

2.3.2 The specific responsibilities and duties (and delegations) of the RFO are set out in the Council's Financial Regulations.

2.4 Committees

2.4.1 The Council does not currently discharge any of its functions through committees. However, it may resolve to do this at any time.

2.4.2 Should any committees be established the following basic delegations will be granted to each committee:

- Elect a chairman from within the nominated membership of that Committee,
- Approve the Minutes of the last meeting of the Committee,
- Spend money from budget headings under that Committee's remit up to the limit of the budget and/or named reserve,
- Make recommendations to the Council on budget requirements for the Committee for the coming Financial Year.
- Delegate any of its functions to a Sub Committee or officer of the Council.

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