
Hemswell Cliff Parish Council

Hemswell Cliff Parish Council Scheme of Delegation

Background

In many circumstances a local authority may arrange to delegate or have its functions carried out by a committee, joint committee, another local authority or an officer (Local Government Act 1972, s101). A committee can in turn arrange for functions to be carried out by a sub-committee.

Parish councils delegate powers to committees to provide more efficient, less time consuming and more satisfactory decision making. All decisions to discharge the functions of a parish council must be taken at a meeting of the council. Functions can also be delegated to a clerk which should reflect the duties they undertake and be made clear in their job description and written statement. Clerks commonly have delegated functions relating to office administration, for instance, managing correspondence and purchasing consumables.

Council Functions

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:

- Regulation of Council finances – includes setting the precept and approval of the Council's budget.
- Approval of the Annual Accounts, completion of the Annual Return (including the Governance Statement).
- The making, amending or revoking of Standing Orders, Financial Regulations and Terms of Reference.
- Adoption or revision of the Council's Code of Conduct.
- Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence.
- Matters of principle or policy.
- Nomination or appointment of representatives of the Council to outside bodies.
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee.
- The making, amending or revoking of bye-laws.
- Agreement to write off bad debts.
- Approval of purchase, acquisition by other means, sale, lease or disposal of tangible moveable property.
- Approval of purchase, acquisition by other means, lease, sale or disposal of real property (interests in land).
- Fixing the number of Committees, and the names and number of Members appointed to each Committee determining the functions and terms of reference of Committees and Sub- Committees.
- All other matters which must, by law, be reserved to the Full Council.

Delegations to the Proper Officer (Clerk)

The Clerk to the Council shall be the Proper Officer and carry out the functions of the Proper Officer set out in the Local Government Act 1972, other legislation, the job description and written statement. Delegated actions of the Clerk shall be in accordance with Standing Orders, Financial Regulations, this Scheme of Delegation and with the directions given by the Council. The Clerk is specifically authorised to:

- Receive declarations of acceptance of office as well as receive and publish Members' Registers of Interest.
- Receive and grant Disclosable Pecuniary Interest dispensations after consulting with the District Council's Monitoring Office.
- 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 hold copies of byelaws made by a principal local authority which affect the Council's area.
- Receive and retain plans, notices and documents.
- Certify copies of byelaws made by the Council.
- Manage the Annual Return and sign certain document.
- Act as the Responsible Financial Officer (Local Government Act 1972, s151)
- The Clerk is authorised to undertake the day to day administration of the Council, to include:
 - i. Calling extra meetings of the Council or any committee or sub-committee necessary, having consulted with the appropriate chairman.
 - ii. 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.
 - iii. Updating and managing the content on the Council's website.
 - iv. Making arrangements for the maintenance of the office IT systems.
 - v. Co-ordinating the production of the Council's newsletters.
 - vi. Disposal of Council records according to legal restrictions and an agreed retention and disposal policy.
 - vii. Handling requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1998.
 - viii. Purchasing basic office equipment and supplies.
 - ix. Taking appropriate action arising from other emergencies (in consultation with the Chairman/Vice Chairman of Council). Authorising payment in emergencies for items/work below £250 in consultation with the Chairman of the Council and another councillor.
 - x. Authorising routine recurring expenditure within the agreed budget.
 - xi. When the Council delegates a specific task or function to the Proper Officer, the action taken must be reported to the next Council meeting.

Delegations to Committees

The matters listed below are delegated to the Council's committees or sub-committees. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations. The Council's committees are for the most part delegated to fact finding, quote gathering, investigating options and making recommendations to the Parish Council. No committee is able to control or regulate Council finances.

All Committees are authorised to:

- Elect a chairman from within the membership of that Committee.
- Approve the Minutes of the last meeting of the Committee.
- Undertake the work described in their Terms of Reference.
- Make recommendations to the Council.
- Make recommendations on the budget requirement for the Committee for the coming Financial Year.
- Delegate any of their functions to a Sub Committee or officer of the Council.

Currently the Council has two committees:

- **Ball park Committee** – brings together the Parish Council, School and residents to oversees the development and maintenance of the Ball Park site (near the old Community Centre).
- **Neighbourhood Plan Committee** – brings together the Parish Council, residents and business to develop a Neighbourhood Plan for the Parish.

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