COMMITTEES AND CLERK SCHEME OF DELEGATION AND TERMS OF REFERENCE November 2026

1. Discharge of The Scheme

1.1 This Scheme of Delegation forms part of the Council's Financial Regulations and Standing Orders and will be reviewed every year and when there are staffing changes.

1.2 Those with delegated responsibility are referred to by job title, RFO, Parish Clerk, Assistant Clerk.

1.3 One of the purposes of the document is to clearly define the parameters within which Officers of the Council are able to act without reference to Councillors. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.

1.4 Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.

1.5 The other purpose of the document is to capture the various delegated powers throughout the Council, including those delegated by the Council to its committees. This element of the scheme incorporates the Terms of Reference of the committees.

2. Principles of Delegation

2.1 Section 101 of the Local Government Act 1972 provides:

- That a Council may delegate its powers (except those incapable of delegation) to a committee; or an officer.
- A Committee may delegate its powers to an officer.
- The delegating body may exercise Powers that have been delegated.

2.2 Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and with the law.

2.3 Any delegation shall be exercised in compliance with the Council's Financial Regulations Section 5.15 of which is, for completeness, reproduced as an appendix to these Terms of Reference.

2.4 Where the Parish Clerk is contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Chairman of the Council and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

3. Authority to Act

3.1 It will be appropriate for the Parish Clerk to refer a matter to the Council where the determination of the matter is likely to be particularly controversial or raises issues of policy, strategy or principle which it would be appropriate for councillors to determine; or could, by its scale or complexity expose the Council to major corporate risk.

3.2 The Parish Clerk and Committees have the responsibility to act within the Councils approved policies, procedures and framework and within the law in conjunction with this delegated scheme.

4. Conflicts of Interest

4.1 Under the Local Government Act 1972, section 117 the Parish Clerk must make a formal declaration about council contracts where they have a financial interest.

4.2 Where the Parish Clerk has a conflict of interest in any matter, he/she shall not participate in that matter unless approved by the Council and this is formally recorded in the Council minutes.

5. Council Reserved Powers

5.1 The following matters are only to be resolved by the full Council:

- Appointment of the Parish Clerk/Responsible Financial Officer and other council officers
- To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation and other Council policies and/or strategies
- To approve and adopt the Policy Framework.
- To approve and adopt the Budget.
- To agree and/or amend the terms of reference for Committees and Working Parties
- To adopt the schedule of meetings for the ensuing year.
- To determine matters involving expenditure for which budget provision is not made or is exceeded.
- To set the precept.
- To make, amend and/or revoke byelaws.
- To borrow money.
- To approve the statutory Annual Governance and Accountability Return
- To approve eligibility for the General Power of Competence
- To receive Committee reports.
- To determine matters of strategy, principle or policy.
- To make, amend or revoke orders under any statutory powers.
- To approve any matter of capital expenditure unless a project budget or earmarked reserve has been applied and a business case has been assessed by the Council or (where applicable) the relevant Committee.

6. Delegation to Committees - Safeguards

6.1 The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or Officer.

7. Delegation to Parish Clerk, Assistant Clerk and RFO

(a) Parish Clerk

7.1 Where the Parish Clerk exercises a power which does not require prior approval or consultation, they shall update the Council of any such activities at the next full Council meeting for routine matters and at the earliest opportunity for other matters. All delegated powers of the Parish Clerk shall be in accordance with standing orders, financial regulations, this Scheme **of** Delegation and in line with directions given by the Council from time to time". The Parish Clerk is designated and authorised to act as the Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other stature requiring the designation of a proper officer.

7.1a At any time where the upcoming Council or appropriate Committee meeting is in excess of 30 days away, the Parish Clerk may authorise any payment which is within the approved budget or, in the case of a capital payment, within an approved project budget.

7.2 In the case of an emergency, the Clerk shall have the power to authorise emergency expenditure outside of an agreed budget in accordance with all applicable financial regulations, in consultation with the Chairman (or if unavailable the Vice-Chair) if practicable, with any such expenditure to be reported to the Council at the earliest opportunity".

7.3 Power to authorise relevant training courses provided the expense can be met from approved budgets having taken into account the training needs of the employees.

7.4 The Parish Clerk is the manager for all staff employed by the Council and is given delegated powers to manage the council staff in accordance with the Council's policies, procedures and budget

7.5 The authority to sanction and authorise payment of overtime so long as the costs can be contained within the parameters of the approved budget.

APPENDIX

Extract from Financial Regulations

Paragraph 5.15

Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- the Clerk/RFO under delegated authority, for any items below £5000 excluding VAT.
- the Assistant Clerk, under delegated authority, for any item below £1000 excluding VAT.
- the Clerk/RFO in consultation with the Chair of the Council, for any items below £5000 excluding VAT.
- a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £5000 excluding VAT.
- the council for all items over £10,000.

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

7.6 Power to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the full Council

7.7 As Proper Officer, to sign all documents on behalf of the Council including the Summons to Elected Members to attend Council Meetings in accordance with paragraph 4 and Schedule 12 of the Local Government Act, 1972

7.8 To sign and publish the annual public notice that the Audit of Accounts is to take place and has taken place.

7.9 To receive members' acceptance of declarations of interest and their appointment as a Councillor.

7.10 Power to release press statements on any activities of the Council subject to prior consultation with the Chairman

7.11 Power to deploy Council resources to discharge the statutory duties of the Council..

7.12 Power to take appropriate steps to ensure the Council does not exceed its powers.

7.13 Power to manage the day-to-day administration of facilities, services and resources, together with routine inspections and controls, and to incur expenditure on such items on behalf of the Council up to the amounts included in the approved budget for such item/s ..

7.14 In liaison and after conferring with the Chairman, to make such Civic arrangements as are necessary.

7.15 The Proper Officer shall have authority to issue written authorisation to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties.

7.17 The Proper Officer shall be responsible for signing all the Council's Official Notices as set out in the Standing Orders

7.18 The Parish Clerk, in consultation with and as directed by Councillors, to make comment on planning applications within the statutory 21- day consultation period if the deadline is before the next Council meeting.

7.19 The Parish Clerk, to request an extension to the statutory 21-day consultation period in regards to planning applications if the deadline is before the Parish Council meeting.

(b) Responsible Financial Officer

7.20 The Responsible Financial Officer will be responsible for all financial records of the Council and the careful administration of its finances and accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and with the policies and procedures set by the Council and within the law

7.21 The Responsible Financial Officer will have the power to release any financial related report or document to the Council in discharge of the Responsible Financial Officer responsibilities

7.22 The Responsible Financial Officer shall ensure the approved precept request is issued to the billing authority.

(c) Assistant Clerk

7.23 The Assistant Clerk will be responsible for issuing licenses for allotments.

7.24 The Assistant Clerk will be responsible for issuing licenses for pitch hire.

7.25 The Assistant Clerk will be responsible for collecting and recording allotment rents paid

7.26 The Assistant Clerk will be responsible for collecting and recording pitch hire fees.

.