

Brandeston Parish Council

Scheme of Delegation

1. GENERAL

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.

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

2. RESPONSIBLE FINANCIAL OFFICER DUTIES & POWERS

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

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

The RFO shall ensure the approved precept request is issued to the billing authority.

3. PROPER OFFICER DUTIES & POWERS

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

- Receive declarations of acceptance of office.
- Be responsible for ensuring that the instructions of the Council in connection with its function as a Local Authority are undertaken.
- Advise the Council on, and assist in the formation of, overall policies to be followed in respect to its activities.
- Take appropriate steps to ensure the Council does not exceed its powers.
- Sign and issue summonses to attend meetings of The Council.
- Receive and record notices disclosing interests at meetings.
- Keep proper records for all Council Meetings.
- Receive and retain plans and documents.
- Sign Notices on behalf of the Council.
- Receive correspondence and documents on behalf of the Council and deal with the correspondence or documents or bring such items to the attention of the Council. To issue correspondence as a result of instructions or the known policy of the Council.
- Certify copies of By-laws made by the Council.
- Maintain the Council's Fixed Assets Register.
- Make arrangements for insurance provision and manage any insurance claims.
- After conferring with the Chairman, make Civic arrangements as are necessary.

- Notify the Returning Officer of any casual vacancies and liaise with the Returning Officer regarding
- the conduct of elections.
- Act immediately on all Health and Safety or emergency issues without waiting for endorsement by
- the full Council.
- Update the Parish website.

4. DELEGATED DUTIES & POWERS

4.1. The Parish Clerk has the delegated authority to undertake the following matters on behalf the Council:

- The day to day administration of all services.
- Manage all the Council's resources in accordance with the Council's policies.
- Day to day supervision and control of all staff and contractors employed by The Council.
- Authorisation of expenditure and payment of invoices up to £1000, within agreed budget and subject to authorisation by the Chair/two bank signatories.
- Authorisation of expenditure and payment of invoices Over £5000, within agreed budget, in consultation with all Councillors by email and a response from a quorum of the Council and two bank signatories.
- Emergency expenditure up to £500, outside of the agreed budget, in consultation with all Chairman and two bank signatories.
- Report any enforcement issues to the relevant authority

4.2 Planning Delegation to the Clerk

- The council delegates decisions arising under development control consultations to the clerk in consultation with all Councillors.
- Consultation may be by correspondence, including email, or in person. It may also take place at meetings of the council.
- The clerk will arrange for relevant papers to be circulated to the councillors who should return their comments, to the clerk for determination of the council's response within the prescribed consultation period.
- Delegated decisions will be reported to, and recorded in the minutes of, the next council meeting.
- In respect of controversial or major development proposals, the clerk in consultation with the chairman, may decide that a parish meeting and/or an extraordinary meeting of the council be called to consider the matter.

4.3 Delegated actions of the Parish Clerk shall be in accordance with the Council's policies, Standing Orders, Financial Regulations, Risk Management Scheme and this Scheme of Delegation.

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 Chair of the Council and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

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

5. THE COUNCIL The following matters are reserved to The Council for decision:

- Setting the Budget & Precept.
- Borrowing money.
- Making, amending or revoking Standing Orders, Financial Regulations, Risk Management Scheme or this Scheme of Delegation.
- Matters relating to the Council's Code of Conduct
- Making, amending or revoking By-laws.
- Making of Orders under any Statutory powers.
- Matters of principle or policy.
- Election of Chairman and vice Chairman.
- The adoption of the schedule of meetings for the ensuing year.
- Nomination and appointment of representatives of The Council to any other authority, organisation or body.
- Annual review of direct debits and standing orders.
- Approval of the Annual Return (Statement of Accounts).
- Approval of the year end accounts.
- Any proposed new undertakings.
- Awarding donations and grants fund to other bodies other than those specifically named in the budget.
- Prosecution or defence in a court of law;
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish.
- Creation of Committees and Working Parties and membership therein.
- Confirming the appointment and job description of the Parish Clerk and approval of any subsequent appraisal, salary and allowances.

6. COMMITTEES AND SUB-COMMITTEES

The Council currently has no committees but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Committee is formed by means of a minute detailing the Terms of Reference.

7. WORKING GROUPS

The Council currently has no working groups.

8. REVOCATION

The Council may, at any time and without prejudice to executive action taken already, revoke any executive power delegated to an Officer, Committee, Sub-committee or Working Group.

