



STOKE MANDEVILLE PARISH COUNCIL

SCHEME OF DELEGATION

Power to Delegate Functions

Under the Local Government Act 1972 s 101 (a) the Parish Council has the power to arrange for the discharge of its functions by a committee, sub-committee or officer of the authority. The Parish Council does not have the power to delegate a decision to an individual Councillor.

The Council's Scheme of Delegation authorises the Clerk to the Council and Committees to act with delegated authority in the specific circumstances detailed.

All decisions taken under delegated authority will be in accordance with the Council's Standing Orders, Financial Regulations and this Scheme of Delegation. All decisions will be reported to and minuted at the next Parish Council meeting.

Council

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. These include, but are not restricted to:

- Setting the precept and approval of the Council's budget
- Approval of the Annual Accounts
- Completion of the Annual Return including the Governance Statement
- Consideration of an Auditor's report made in the public interest (within one month of receipt).
- 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.
- 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 to outside bodies (except approved conferences or meetings)
- 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 by resolution, before payment, of any grant or single commitment in excess of £5,000.
- Authorisation as to terms and purpose for 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 (eg hire purchase or leasing of tangible assets)

- Approval of purchase, acquisition by other means, sale, lease or disposal of tangible moveable property over £1,000.
- Approval of purchase, acquisition by other means, lease, sale or disposal of real property (interests in land).
- 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

Proper Officer and Responsible Financial Officer is delegated:

- To take action on any issue of such urgency that it cannot wait until the next meeting of the Council. The Proper Officer would normally consult the Chairman, or in their absence the Vice Chairman, and take their view into account.
- To incur expenditure on behalf of the Council which is necessary to carry out work which is of such urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure subject to a limit of £1500. The Proper Officer would normally consult the Chairman, or in their absence the Vice Chairman, before incurring this expenditure.
- To purchase stationery items, including stamps, necessary for running the Parish Office using the Council's debit card.
- To report minor matters to the relevant authority.
- To take any action on minor repairs up to £100
- To take any action on minor repairs in consultation with the Chairman for repairs above £100 and below £500.
- To authorise the payment of items only in the following circumstances (financial regulation 5.5)
 - If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council ;
 - An expenditure item authorised under financial regulation 5.6 (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council ; or
 - fund transfers within the councils banking arrangements up to the sum of £100,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].

Committees and Sub-Committees

Procedures for delegation for the specific committees are specified under the Terms of Reference for each committee. Matters currently delegated to committees are as follows:

Environment Committee

- To approve inscriptions for memorial stones/tablets to be placed in burial ground
- To approve applications for memorial tablets to be placed in the burial ground where no interment has taken place
- To agree the eviction of a tenant from the allotments where the allotment agreement had been contravened

Leisure Committee

- To approve requests to hire the Queen Elizabeth II Playing Field in Eskdale Road.

Planning Committee

- To comment to the Local Planning Authorities on applications received for planning permission.
- To make representation in respect of appeals against the refusal of planning permission
- To identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations
- To attend and represent the Parish Council at meetings of the Local Planning Authority's Development Control Committee when specific applications are being considered as and when this is deemed necessary

22nd May 2018