

Scheme of Delegation

Hambleden Parish Council

Local Councils may only do what legislation requires or permits them to do. With some particular exceptions, the Council may delegate functions to committees, sub committees, officers, or other authorities. The power to delegate functions by local councils is set out in the amended Local Government Act 1972 S.101 (Appendix 1)

Decisions are normally taken by the Parish Council at its regular monthly Parish Council meeting or at an additional meeting specifically convened for that purpose. 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.

Examples are:-

- Setting the precept and approval of the Council's budget
- Approval of the Annual Accounts and completion of the Annual Return including the 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.

Convening a meeting takes a minimum of three clear days (not counting Sundays and Bank holidays) and on rare occasions emergency business arises that needs a decision and/or action to be taken and it would be inappropriate to convene an additional ordinary meeting of the Council to consider the issue. As the Council has power under s. 101, LGA 1972 to arrange for the discharge of any of its functions by an officer of that authority, it is common practice for standing orders or council resolutions to provide for specific areas of decision-making to be delegated to a proper officer (see LGA 1972 s.270(3) for a formal definition). The Clerk and the Responsible Finance Officer are Boddington's proper officers.

The Clerk carries out the functions as provided by the Local Government Act 1972, and as set out in the job description for the post. The Council may delegate the full authority of the Clerk to any other temporary or permanent member of staff to act in the Clerk's absence. In practice the Clerk and RFO deputise for each other. Delegated actions 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.

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person) to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer Duties & Powers

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

2. Proper Officer Duties & Powers

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

- 2.1.1 Receive declarations of acceptance of office;
 - 2.1.2 Receive and record notices disclosing interests at meetings;
 - 2.1.3 Receive and retain plans and documents;
 - 2.1.4 Sign notices, agreements, licences or other documents on behalf of the Council;
 - 2.1.5 Receive copies of By-laws made by another local authority;
 - 2.1.6 Certify copies of By-laws made by the Council;
 - 2.1.7 Sign and issue summonses to attend meetings of the Council.
 - 2.1.8 Keep proper records for all Council Meeting
 - 2.1.9 Notify the Returning Officer of any casual vacancies and liaise with him/her regarding the conduct of elections
- 2.2 In addition, the Clerk has the delegated authority to undertake the following matters on behalf of the Council:
- 2.2.1 The day to day administration of services, together with routine inspection and control.
 - 2.2.2 Authorisation of routine expenditure within the agreed budgets.
 - 2.2.3 Emergency or necessary expenditure up to £500 outside of the agreed budget (see 7 - Urgent matters below).
 - 2.2.4 Dealing with all press and public relations on behalf of the Council in consultation with the Chairman or Vice-Chairman.
 - 2.2.5 Liaise with Buckinghamshire Council on clear uncontentious matters of concern raised by members of the public or Councillors without first putting it on a Council agenda.
 - 2.2.6 Make decisions as to whether items are appropriate for inclusion in the website and/or social media channels.
 - 2.2.7 Submit comments to planning applications upon agreement from Councillors via email where the deadline would otherwise pass.
- 2.3 Delegated actions of the Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

3 Urgent Matters

- 3.1 In the event of any matter arising *which requires an urgent decision* notwithstanding delegated powers granted by paragraph 2.2 above, the Clerk shall forthwith consult with the Chairman and/or Vice-Chairman and those Members so consulted together with the Clerk shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 3.2 Before exercising the delegated powers granted by paragraph 3.1 above, those Members consulted shall consider whether the matter is of sufficient interest to justify recommending to the Chairman that an Extraordinary Meeting of the Council should be called.
- 3.3 Whenever any action is taken under this Standing Order, full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meeting of the Council.