

Bourton-on-the-Water Parish Council

SCHEME OF DELEGATION

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, Committees and Sub-Committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

The Responsible Financial Officer to the Council shall be the Parish Clerk who is ultimately responsible for the Parish Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time. Any personnel recruited to assist with financial administration will report directly to the Parish Clerk.

2. Proper Officer

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

- (1) To receive declarations of acceptance of office.
- (2) To receive and record notices disclosing personal and prejudicial interests.
- (3) To receive and retain plans and documents.
- (4) To sign notices or other documents on behalf of the Council.
- (5) To receive copies of bye-laws made by the unitary authority.
- (6) To certify copies of bye-laws made by the Council.
- (7) To sign summonses to attend meetings of the Council.

2.2 In addition, the Parish Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- (1) The day to day administration of services, together with routine inspection and control;
- (2) Day to day supervision and control of all staff employed by the Council;
- (3) Authorisation of expenditure up to £500;

2.3 Delegated actions of the Parish Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation, and subject to directions given by the Council from time to time.

3. Council

3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate committee(s) may make recommendations for the Council's consideration:

- (1) Setting the Precept;
- (2) Approving Governance Statements;
- (3) Borrowing money;
- (4) Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation.
- (6) Making, amending or revoking bye-laws;
- (7) Making of orders under any statutory powers;
- (8) Matters of principle or policy.
- (9) Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings);
- (10) Any proposed new undertakings;
- (11) Prosecution or defence in a court of law;
- (12) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the village, excluding those matters specific to a committee.

4. Committees

- The term of office for all committees is 1 year, unless specifically stated otherwise;
- All committees benefit from delegated powers in respect of the authorisation of expenditure provided for in their approved budget;
- A Committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes.

4.1 The (FGP) Finance and General Purposes Committee shall consider and determine the following matters:

Quorum: 3
Frequency of meetings: Quarterly
Delegated powers: Yes, subject to restrictions set out in section 3.

- Monitor, manage, and make recommendations to Council in respect of financial matters;
- Prepare the draft annual budget and submit to Council for approval, to include making recommendation regarding the Precept;
- Ensure that an adequate and effective system of internal control is in place to secure the integrity of finances and any other information/data;
- Review, at least quarterly, performance against budget and take any necessary action;
- Maintain adequate levels of financial reserves and manage Council's investments;
- Report and refer other matters to full Council for approval/expenditure;
- Review all policies annually and make recommendations to Council for approval;
- Consider and take appropriate action on all reports arising from internal and external auditors;
- Take steps to identify and update key risks facing the Council, and to decide upon appropriate measures to avoid, reduce or control those risks or their consequences;
- Make recommendation to Council in respect of insurance cover, and subsequently monitor the cover to ensure this is adequate to meet its liabilities;
- Ensure that the council complies with its legal obligations e.g. data protection, freedom of information, transparency etc;
- Consider and make decisions, including on recommendations from the Personnel Sub-Committee, to ensure the Council acts as a good employer and is compliant with employment legislation in all matters relating to personnel issues, including:-
 - Ensuring that the Council is adequately staffed to meet its requirements and make decisions regarding staffing levels;
 - Ensuring that the Council complies with employment law and that working conditions are of an acceptable standard;
 - Ensuring that appropriate training is made available and completed;
 - Undertaking an annual appraisal of the Clerk and receiving/considering the Clerks appraisal of all other staff;
 - Making decisions on all matters associated with staff salaries, pensions and income tax;
 - Reviewing staff contracts annually or as required and making changes, as required;
 - Administering the disciplinary and grievance procedure if required;

4.2 The (CSC) Community Services Committee shall consider and determine the following matters:

Quorum: 5
Frequency of meetings: Monthly
Delegated powers: No

- Manage, monitor and authorise expenditure in the approved Committee budget subject to the Committee's minuted decision
- Maintain all recreation grounds, parks and public open spaces, village greens, owned or leased, and to initiate and supervise all matters of control properly associated with this function;
- Operate and maintain the cemeteries, War Memorial, burial responsibilities and associated duties, consequential to Statutory or Council requirements;
- Maintain and supervise the Council's allotment sites, owned or leased;
- Deal with all other matters relating to local amenities and the environment, including horticulture;
- Consider any other matter which may be delegated to it by the Council from time to time

4.3 The Planning Committee shall consider and determine the following matters:

Quorum: 3
Frequency of meetings: Twice monthly
Delegated powers: Yes

- Comment on planning applications and other consultations received from the Local Planning Authority;
- Comment on Licensing matters and other applications received from the Licensing Authority;
- Comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as appropriate.

4.4 The (HC) Highways Committee shall consider and determine the following matters.

Quorum: 3
Frequency of meetings: Monthly
Delegated powers: No

- Manage, monitor and authorise expenditure in the approved Committee budget subject to the Committee's minuted decision;
- Consider and respond to consultations in respect of all matters relating to highway issues;
- Be pro-active in the development of the village's highway infrastructure with the object of improving the aesthetic and amenity quality of the village's highways and footpaths, to include all highway related matters including street lighting, car parks, scheduled footpaths and bridle ways, highways obstructions;
- Consider all matters relating to litter, including the provision of general and dog litter bins;
- Make provision for adverse weather;
- Work pro-actively with various authorities such as county and district councils, utility companies, parking enforcement agencies and the Police in all matters relating to highways, traffic and litter;
- Any other matter which may be delegated to it by the Council from time to time

4.5 The (GMCC) George Moore Community Centre Committee shall consider and determine the following matters:

Quorum: 3
Frequency of meetings: Quarterly
Delegated powers: No

- Manage, monitor and authorise expenditure in the approved Committee budget subject to the Committee's minuted decision
- Maintain in good order the George Moore Community Centre building and all land and assets on that site in the ownership of the Council in accordance with legislation relating to the provision of community buildings;
- With due regard to Health and Safety / Fire legislation to identify and assess any risks associated with the Committee's remit and, where needed, identify and instruct mitigating actions;
 - Make decisions in all matters relating to commercial and residential tenants, including leases;
 - Make decisions in all matters relating to hire of the public rooms, including setting and reviewing room hire rates and conditions;

5. Sub Committees

No Sub-Committees will benefit from delegated powers.

5.1 The Personnel Sub-Committee may consider and make reports and recommendations to the FGP Committee for a decision in respect of the following matters:

- Hearings for grievance, disciplinary and capability matters for the Parish Clerk and other staff in accordance with the Councils grievance and disciplinary procedures.
- Appraisal of the Parish Clerk;
- Staff salaries
- Staff conditions of employment
- Staffing levels

5.2 Other sub-committees may be formed by resolution of the Council by means of a minute detailing its terms of reference.

6. Working Groups/Parties

6.1 Working groups/parties may be formed by resolution of the Council or a committee at any time. The work of such a working group/party will be decided upon at the time it is formed by means of a minute detailing the terms of reference. Each working group/party will report back with recommendations to the Committee that formed it.

7. Urgent Matters

- 7.1 In the event of any matter arising which requires an urgent decision, the Parish Clerk shall consult the Chairman or, in his absence, the Vice Chairman of the Council and with the concurrence of the relevant member shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 7.2 Any action is taken under 7.1 must be recorded in writing and made available for inspection by any member of the Council. Full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meetings of the Committee concerned, and of the Council.

8. Delegation – Limitations

Committees and sub-committees shall, at all times, act in accordance with the Council's standing orders, financial regulations and this scheme of delegation and, where applicable, any other rules, regulations, schemes, statutes, bye-laws or orders made and with any directions given by the Council from time to time.

Adopted 6th February 2019