

Scheme of Delegation



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Introduction

Oliver's Battery Parish Council's Scheme of Delegation is an essential policy to enable the Council to function efficiently and effectively. Without this every decision would need to be made by the Council.

Decision-making powers are given to the Proper Officer (Clerk/RFO) and Committees.

Powers cannot be delegated to working parties or individual councillors. (LGA 1972, section 101).

This policy should be read in conjunction with Standing Orders, Financial Regulations, Committee Terms of Reference and the Code of Conduct.

The Council

The following matters are dealt with by the Council:

- Approval of the budget and setting the precept
- Approval of the Annual Return and Audit of Accounts
- Authorisation to borrow
- Making of Orders under any statutory powers
- Making, amending or revoking by-laws
- Election of a Chairman
- Election of a Vice-Chairman
- Appointment of Committees
- Appointing Council Representatives to outside bodies
- Recruitment of the Clerk and RFO
- Matters relating to the Councils Code of Conduct
- Approval of the calendar of meetings
- Matters relating to the use and eligibility of the General Power of Competence
- To approve capital projects
- To approve expenditure over £2,000
- Creation and appointment of working groups
- Revoke delegated responsibilities, following a resolution
- Final approval of grant awards
- To approve overspends on Committee budgets
- To approve supplementary budget requests that fall outside of the remit of Standing Committees and Officers
- To approve contractors in accordance with the procurement policy
- Matters relating to the installation of memorial benches
- Approval of banking arrangements (signatories)
- Dispose of land or assets when values are over £500
- Adoption of new or amendments in policies
- Changes in employment contracts in regard to contracted hours or rate of pay
- Changes in staffing structures, including the creation of new roles.

Delegated responsibilities

The Council may at any time, following resolution, revoke any delegated authority.

The Clerk may decide not to exercise a delegated responsibility and may instead make a recommendation to a Committee or the Council.

Proper Officer (Clerk and Responsible Financial Officer)

The Clerk and Responsible Finance Officer acts as the Proper Officer to the Council. The Proper Officer is responsible for dealing with the relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

The Clerk will:

- Receive declarations of acceptance of office
- Receive and record members' Register of Interest
- Receive and grant dispensations
- Receive and retain plans and documents
- Advertise the vacancies for co-option of Councillors
- Apply for grants, when requested to do so by the Council
- Sign notices or other documents on behalf of the Council
- Receive copies of the by-laws made by a principal local authority
- Certify copies of the bylaws made by the Council
- Call and arrange all meetings of the Council
- Attend meetings of the Council
- Prepare and issue agendas
- Deal with documents, deeds, contracts and agreements following resolution to do so from the Council or the Committees
- Respond to requests under the Freedom of Information Act and Data Protection Regulations legislation.
- Day-to-day management of services, resources and assets, together with routine inspection, compliance and control, including all operational matters
- Induct and train Councillors and organise external training as appropriate
- To place orders for works and services within the limitations of the approved annual budget of the Committees, which includes the authority to vire funds within individual Committee budget lines. This does not extend to funds earmarked for projects or overspends on each Committee
- Authorisation to call any extraordinary meetings of the Council or any of its Committees
- Authorisation to respond immediately to any correspondence requiring or requesting information or relating to previous decisions by the Council or its Committees,
- Respond to planning applications when an extension of time is not granted, following consultation with the Planning Committee
- Emergency expenditure up to £5,000 outside the budget
- To act as the Council's responsible person for Health and Safety
- To act as the Council's Data Protection Officer
- Oversee Council transparency, access to information, data use and storage, including day-to-day management of the Council website and Social Media
- Ensure compliance with Standing Orders, Financial Regulations and Council policies and procedures.
- Report to the External Auditor matters under the Local Government Finance Act 1988 s14
- Arrange and manage the Council's insurance arrangements
- **Manage income-generating activities**
- Submit planning applications on behalf of the Council
- Act on matters specifically delegated by the Council or Standing Committee
- Ratify recommendations from working groups

- To act as a representative of the Council, when requested to do so by the Chairman
- To liaise with other organisations, locally, regionally and nationally.
- In an emergency the Proper Officer is empowered to carry out any function to ensure the safety of the community. Such emergencies may include fire, flood, loss of electricity, natural disaster or accident (the list is not exhaustive)
- Arrange for the management and maintenance of all the open spaces, facilities and their associated structures.
- Delegated powers to oversee the contract for the delivery of grounds maintenance.
- Delegated powers to oversee the Parish Lengthsmen scheme and workload.

Standing Committees

The Council's standing committees are:

- Planning Committee
- Recreation Committee

All standing committees have delegated powers to make decisions in accordance with the Committees Terms of Reference.

Committees may decide not to exercise delegated responsibility and may instead make recommendations to full council.

Working Groups

Working Groups will make recommendations to the Clerk, Committee or Council as appropriate for decisions to be ratified.

Urgent Business

If a matter is deemed "urgent", and outside the delegated powers of the Clerk or a scheduled Committee or Council meeting, action on the "urgent" matters can be agreed by the use of an "Urgent Consultation Panel". The Panel will consist of the Chairman, the Vice Chairman and, where within the terms of reference of a Committee, the Chairman or Vice Chairman of the Committee. All decisions agreed by the panel will be reported to the Council at the earliest opportunity.