

Broadclyst Parish Council

Delegation Scheme

In order for Council to run with efficient use of Member and Officer time, certain responsibilities and duties can be delegated to either one person or to a committee.

This document sets out the current delegations which Broadclyst Parish Council has in place, with appropriate “safety nets” to ensure the democratic process is observed and financial risk is kept within acceptable limits.

References in footnotes are made to schedules in the Local Government Act 1972 unless otherwise specified.

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Committee delegation.

1. Staffing Committee:

The Staffing Committee meets as required and at least annually to receive staff appraisal reports and set the Council's Staffing budget for the following year.

It has delegation to execute all staffing matters & decisions in accordance with policies contained within the Council's Employment Handbook (July 2017). Decisions resolved by the Staffing Committee are lawful and will be reported to The Council.

Democratic compliance

Staffing Committee meetings are not open to public due to the personal nature of business transacted (Public Bodies Admissions to Meetings Act 1960 s1(ss2))

Financial risk management

In order to minimise financial risk, the Staffing Committee will report and make recommendations to The Council and its Finance Committee.

Councillors are required to disclose any interests, personal or pecuniary, in addition to those already stated on their Register of Interests.

2. Finance Committee:

The Finance Committee meets quarterly and is recognised as The Council's 'duly delegated committee' to act in accordance with delegation set out in The Council's adopted Financial Regulation. In addition, the Finance Committee:

- Receives reports from committees and subcommittees which have financial implications for The Council, i.e. Staffing, Pavilions, and to make recommendation to Council having considered the implications in accordance with The Council's adopted Financial Regulations and approved budget allocation.
- Authorises virement of monies between budget allocations (within limits; reporting to Full Council)
- Considers and reviews contractors and suppliers for goods and services, making recommendation to the Council.

Democratic compliance

Business discussed by the Finance Committee has, out of all committees, the potential to carry the highest financial implication for electors. Meetings are open to press and public, held in meeting venues which comply with legislation and Councils Standing Orders, and are advertised on the village noticeboard and Council website with no less than 3 clear working days' notice.

Financial risk management

In order to minimise financial risk, the Finance Committee will report and make recommendations to The Council; decisions resolved by the Finance Committee will not be considered lawful until ratified by The Council.

Councillors are required to disclose any interests, personal or pecuniary, in addition to those already stated on their Register of Interests.

3. Planning Committee:

The Planning Committee meets as needed to discuss validated applications and has delegation to compile and submit a response on behalf of the Council and its community to the Local Planning Authority (LPA).

Democratic compliance

Meetings are open to press and public, held in meeting venues which comply with legislation and Councils Standing Orders, and are advertised on the village noticeboard and Council website with no less than 3 clear working days' notice.

Comments submitted to the LPA by the Planning Committee, decided at planning meetings, are considered to be the view of The Council as a body corporate; Councillors not on the Planning Committee are invited to attend and take part in the meeting should they so wish.

Financial risk management

There is no associated financial risk; Councillors are required to disclose any interests, personal or pecuniary, in addition to those already stated on their Register of Interests.

Emergency delegation to Officers

If the Council or Planning Committee is for whatever reason unable to meet to consider planning applications in a way that it is compliant with National restrictions, Council Legislation and the H&SE at Work Act, Officers, in accordance with Local Government Act 1972,s 101 may submit a response with or without consultation with the Planning Committee Chairman, on behalf of the Council that recognises representations received from Members and electors.

4. Traffic Committee:

The Traffic Committee has delegation to:

- Represent Council in meetings with external agencies (with the prior consent of the Council)
- Manage its own speed/safety awareness publicity campaigns up to its annual budget allocation

Democratic compliance

Membership of this committee is fully inclusive and by application to the Traffic Committee Chairman or Parish Clerk. Meetings are held in meeting venues which comply with legislation and Councils Standing Orders, and are advertised on the village noticeboard and Council website with no less than 3 clear working days' notice.

Councillors not on the Traffic Committee are invited to attend and take part in the meeting should they so wish. Membership of this committee is also extended to members of the public.

Financial risk management

There is no associated financial risk; Councillors are required to disclose any interests, personal or pecuniary, in addition to those already stated on their Register of Interests.

5. Sports Pavilions Management Committee (SPMC)

The SPMC has delegation to manage the recreation ground, formal sports and recreation facilities to within budget allocations. The Committee is advised by the Clerk and supported by the Administrator.

Democratic compliance

Membership of this committee is fully inclusive and by application to the Sports Pavilion Management Committee Chairman, Parish Administrator or Parish Clerk.

The Constitution requires User groups to nominate at least one representative to sit on the SPMC as well as the co-option of 2 members of Public.

Meetings are held in meeting venues which comply with legislation and Councils Standing Orders; are advertised on the village noticeboard and Council website with no less than 3 clear working days' notice.

Councillors not on the SPMC are notified of and invited to attend and take part in the meeting should they so wish. Membership of this committee is also extended to members of the public.

Financial risk management

There is no associated financial risk; Councillors on the SPMC are required to disclose any interests, personal or pecuniary, in addition to those already stated on their Register of Interests. Groups representatives are also required to disclose any interests.

The Committee receives a quarterly financial statement relating to its responsibilities.

6. Officer delegation

Clerk:

The Clerk is The Council's Proper Officer and Council can arrange the discharge of any of its functions by the Clerk¹

The document "Delegation Of Powers To The Parish Clerk, Deputy Parish Clerk, and Pavilions Administrator" appended to this report outlines current delegations to Officers.

Deputy Clerk

Powers would be delegated only in the circumstances of the ongoing absence of the Parish Clerk due to sickness or holiday. Delegation is slightly different to that of the Clerk and is summarised in Appendix A.

Pavilions Administrator:

Powers would be delegated only in the circumstances of the ongoing absence of the Parish Clerk and Deputy Clerk due to sickness or holiday, or in an emergency when neither the Clerk nor Deputy Clerk are available. Delegation is slightly different to that of the Clerk and Deputy Clerk and is summarised in Appendix A.

¹ S 101 (1a)

Financial and other risk management

There is low financial risk; the Clerk has delegation to spend up to a set amount indicated in Council's Financial Regulations in the event of an emergency.

The Clerk is required to disclose any personal financial interest in proposed contracts²

The Clerk must report any expenditure or actions made under delegation to The Council for ratification. Delegation may be given for one-off projects or in respect of a function.

The Clerk has delegation to spend the budget in accordance with respective allocations, with quarterly reporting to the Council via its Finance Committee.

Notes to delegations:

- Committees do not have delegation to agree any course of action which may have financial, legal, or other obligations for The Council.
- * Although delegation is in place, due process requires risk to be considered for each individual case. When representing Council with external agencies, close liaison with senior Council Members and Officers should be maintained throughout the process.
- Corporate responsibility cannot be delegated to a Committee or member of staff.
- Committee membership will be updated annually at Council's annual meeting, or as soon as practicable should Members step down and the quorum of the Committee therefore be compromised.

This concludes my report on the review of Council's Delegation Scheme.

Angie Hurren

Fellow Society Local Council Clerks

Broadclyst Parish Council Clerk

08 May 2024

² S 117

Appendix A

DELEGATION OF POWERS TO THE PARISH CLERK, DEPUTY PARISH CLERK, & PAVILIONS ADMINISTRATOR

Parish Clerk

Over the past few years a number of powers have been delegated by Broadclyst Parish Council to the Parish Clerk. These delegated powers arise as the everyday duties of the Proper Officer and Responsible Finance Officer.

It is the duty of the Council to review these delegations on an annual basis and confirm as appropriate.

1. The Clerk has day to day responsibility for the management of all staff employed by Broadclyst Parish Council and applies to all staff working within the organisation and to all employees working off the premises. It extends to include non-permanent workers such as secondees, contractors, agency, temporary staff, consultants and any other workers.
2. The Clerk is empowered to take financial action to deal with an emergency situation arising that is within the powers of the Parish Council in accordance with limits set out in Council's Financial Regulations
3. The Clerk is empowered to act as a representative of the Parish Council on all Broadclyst Parish Council working groups
4. The Clerk is empowered with regard to purchasing (as per Council's Financial Regulations)
 - a. To purchase items in support of ratified decisions
 - b. To purchase items in support of the day to day running of the Parish Council up to a value of £1,000 per item
 - c. To raise payments to meet employment obligations re salaries in accordance with rates agreed by the Council
 - d. To make purchases formally delegated by the Parish Council or any of its committees with delegated powers
5. The Clerk is empowered to manage the Council's bank accounts on a day to day basis and to invest monies as appropriate and agreed by the Council
6. The Clerk is empowered to manage the day to day operation of the Council Office and other Council Assets

Deputy Parish Clerk

Powers would be delegated only in the circumstances of the ongoing absence of the Parish Clerk due to sickness or holiday. All decisions made by the Deputy Parish Clerk relating to this delegation of powers should be in consultation with the Chairman wherever practicable and cover:

1. Day to day responsibility for the management of all staff employed by Broadclyst Parish Council
2. Taking financial action to deal with an emergency situation arising that is within the powers of the Parish Council
3.
 - a. Purchasing items in support of ratified decisions
 - b. Raising payments to meet employment obligations re salaries in accordance with rates agreed by the Council
 - c. Making purchases formally delegated by the Parish Council or any of its committees with delegated powers
 - d. Raising payments in support of the day to day running of the Parish Council up to a value of £1,000 per item by previous agreement with any two of the following: the Chairman, the Vice Chairman, the Chair of Finance Committee) (*note: amended from Clerk's responsibilities*)
4. Managing the Council's bank accounts on a day to day basis and investing monies as appropriate and agreed by the Council
5. Attendance at working group meetings as requested in order to facilitate meetings
6. Day to day responsibility for the operation of the Council Office and other Council Assets

Pavilions Administrator

Powers would be delegated only in the circumstances of the ongoing absence of the Parish Clerk and Deputy Clerk due to sickness or holiday. All decisions made by the Pavilions Administrator relating to this delegation of powers should be in consultation with the Chairman wherever practicable and cover:

1. Day to day responsibility for the management of all staff employed by Broadclyst Parish Council
 2. Taking financial action to deal with an emergency situation arising that is within the powers of the Parish Council
 3.
 - a. Purchasing items in support of ratified decisions
 - b. Raising payments to meet employment obligations re salaries in accordance with rates agreed by the Council
 - c. Making purchases formally delegated by the Parish Council or any of its committees with delegated powers
 - d. Raising payments in support of the day to day running of the Parish Council up to a value of £1,000 per item by previous agreement with any two of the following: the Chairman, the Vice Chairman, the Chair of Finance Committee) (*note: amended from Clerk's responsibilities*)
 4. Day to day responsibility for the operation of the Council Office and other Council Assets
- Ends -