

## Review of Delegation Arrangements

The Council's Standing Orders set out those matters which should be reviewed annually at the Annual Meeting of the Parish Council.

One of these matters is the delegation arrangements for the Parish Council. The delegations were last reviewed and adopted by the Parish Council at its meeting on 11th January 2024 (**Min. Ref. 24.01.8.4**) to make provision for delegations to the clerk as below:

1. Authorisation to write to any resident or landowner requesting that:
  - a. Vegetation restricting use of, access, egress or visibility to a footpath, footway, byway or highway be trimmed back;
  - b. A footpath across agricultural land be re-instated if damaged or restricted by cultivation; and
  - c. a watercourse be cleared of an obstruction
2. Authorisation to conduct a search at established HM Land Registry Fees within the budget set in any financial year and list of due payments in order to establish the owner of any land for the purposes set out in 1 above.
3. Authorisation to write to any deed holder requesting that a memorial on the relevant grave space be repaired within a period of six months.

Following a review of delegations, there are no further proposed amendments/additions, but the delegations have been re-numbered for future clarity, and the proposed scheme is set out at Appendix A.

**Recommendation:**

**The parish council adopt the scheme of delegation attached as Appendix A.**

**1. Expenditure on revenue items:**

Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- a. the council for all items over £5,000;
  - b. a duly delegated committee of the council for items over £1000; or
  - c. the Clerk:
    - i. To spend up to £500 for additional audit work as required by the External Auditor (in excess of this sum the Clerk/RFO shall act after consultation with the Chairman and Vice-Chairman of the Council).
    - ii. In cases of extreme risk to the delivery of council services, the Clerk /RFO may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
    - iii. To spend up to £1000 in situations where (s)he considers such expenditure to be justified after consultation with the Chairman of the Council or Chairman of the appropriate committee. Such authority is to be evidenced by a Minute or by an authorisation slip duly signed.
2. The Clerk and RFO shall have delegated authority to authorise the payment of other items only in the following circumstances:
- a. 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 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or
  - b. fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
3. **Powers Specifically Delegated to the Clerk**
- a. Incurring expenditure on items where the Council (or the appropriate Committee under delegated powers) within a budget approved by the Council has agreed the expenditure.
  - b. Acting as the Council's "Proper Officer" in all cases where any legislation requires the appointment of such an Officer.
  - c. Acting as the Council's Responsible Financial Officer in all cases where any legislation requires the designation of such an Officer.
  - d. Acting as the Clerk to the Parish Council to ensure the proper discharge of its functions.
  - e. Acting on matters relating to Health and Safety
  - f. Granting of a dispensation to a councillor or non-councillor with voting rights at a meeting at which a matter is being considered in which he/she has a disclosable pecuniary interest.
  - g. To sign on behalf of the Council any document necessary to enable Council decisions to be enforced.
  - h. To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000.

- i. To act as the Council's designated officer for the determining of the purposes and the means of the processing of personal data under the General Data Protection Regulations (GDPR)
- j. To spend up to £500 for additional audit work as required by the External Auditor (in excess of this sum the Clerk/RFO shall act after consultation with the Chairman and Vice-Chairman of the Council).
- k. To spend, in cases of extreme risk to the delivery of council services, the Clerk /RFO may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- l. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- m. 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 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or
- n. fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.

**Planning Delegations**

- o. Authorisation to call any extra meetings of the Council, having consulted with the Chairman of the Council, for the purpose of considering any urgent planning application(s).
- p. Preparation and submission of responses (in consultation with either the Chair or Vice-Chair) to minor planning applications
  - i. Householder Planning Application(s) and associated Listed Building Consent (HH& LB)
  - ii. Works to Trees protected by TPO's, or Tree Preservation Order Applications (TPO)
  - iii. Works to Trees in a Conservation Area (TCA)
 where it is not possible to call a meeting within the timeframe of the consultation or an agreed extension with the planning case officer; and
- q. To apply for planning consent for tree works to be carried out by the Council.

**Other Delegations**

- r. Authorisation to write to any resident or landowner requesting that:
  - a) Vegetation restricting use of, access, egress or visibility to a footpath, footway, byway or highway be trimmed back;
  - b) A footpath across agricultural land be re-instated if damaged or restricted by cultivation; and
  - c) a watercourse be cleared of an obstruction
- s. Authorisation to conduct a search at established HM Land Registry Fees within the budget set in any financial year and list of due payments in order to establish the owner of any land for the purposes set out in 1 above.
- t. Authorisation to write to any deed holder requesting that a memorial on the relevant grave space be repaired within a period of six months.