

## **SCHEME OF DELEGATION**

**Adopted at Full Council meeting on 29<sup>th</sup> June 2020  
(Minute 50/20/21)**

### **CONTEXT**

Delegation is the act of authorising an officer, a committee, a sub-committee or another council to make a decision on the council's behalf. Delegation must be formally agreed by the full council. The Local Government Act 1972, section 101, gives a Parish Council power to delegate decisions to a committee or the Clerk, being the council's proper officer.

### **Committees**

1. Decisions may be made, including authorization of expenditure, by committees of the council, provided these decisions fall within the terms of reference and budget limits agreed by the council.
2. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
3. The Planning Committee is delegated to deliver the Parish Council's role as a statutory consultee in relation to applications for planning permission, consultations on Tree Preservation Orders, applications for licences and permits and such other consultations from national, county, district or borough authorities as are likely to have planning implications for the Parish.
4. The Finance and General Purposes Committee, through its Personnel Subcommittee, is delegated to undertake staff reviews and oversee other personnel matters including recruitment, absence, disciplinary and grievance issues. (It will also advise Full Council on staff salaries and remuneration but approval of this is not a delegated power as it is included in the annual budget.)

### **Budgetary control and authority to spend**

1. Expenditure may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
  - the Full Council for all items over £2,500;
  - a duly delegated committee of the council for items up to £2,500;
  - a committee delegate for items up to £500;
  - the Clerk, in conjunction with Chair of Council or Chair of the appropriate committee, for any items below £250.

### **Authority to speak on behalf of the Council**

1. The Chairs of Planning, Community Development and Allotments Committees are delegated to communicate with other organisations and members of the public in relation to their particular areas of authority. Responses in relation to contentious issues must be agreed by the Chair or, in their absence, the Vice-Chair.

2. Only the Chair, or in their absence, the Vice-Chair are delegated to speak on other matters.
3. Only the Chair, or in their absence, the Vice-Chair, and the Clerk are delegated to respond to approaches from the media.
4. The Clerk, or in their absence a nominated representative, is delegated to issue communications through the Newsletter, posters, CKPC website and social media feeds.

#### **High Consequence Infectious Disease (HCID) outbreaks**

1. The Parish Office and Stanton Suite may be closed to the public at the discretion of the Clerk, in liaison with the Chair and/or Vice-Chair, with immediate effect in the event of an outbreak of a HCID.
2. To allow the council to operate on a minimum requirement basis, the following items are delegated to the Clerk in circumstances where it is not possible to hold either face-to-face or virtual meetings.
  - a. Planning applications - The Chair of the Planning Committee will circulate a summary response to all members of the Planning Committee for comment prior to submission by the Clerk, or another member of Parish Office staff, to Cheltenham Borough Council.
  - b. Finance
    - i. all invoices to be authorised by the budget holder in line with the Financial Regulations;
    - ii. all payments of authorised invoices to be approved by two signatories in line with Financial Regulations;
    - iii. all payments will be formally ratified at the next Full Council meeting.
  - c. Where the HCID policy is activated over the end of the financial year, the Clerk/RFO will prepare the end of year accounts in accordance with normal procedures and circulate to all of the councillors. On the acceptance of a minimum of 4 councillors, they will be signed by the RFO, Clerk and Chair as applicable for submission to the external and internal auditors. The accounts will be formally accepted by resolution at the next Full Council meeting.
  - d. Urgent decisions. Decisions that would normally require consideration at a Full Council meeting will be deferred, if possible, until the next Full Council meeting. If there are exceptional circumstances that require an immediate decision, the process will be as follows:
    - i. The Clerk will confer with the Chair and/or the Vice-Chair and circulate a paper to all councillors setting out the recommended decision together with the rationale and any supporting information considered appropriate. Councillors will be asked for comment and due weight will be given to their views. The decision will be formally ratified at the next Full Council meeting.
    - ii. If the urgency of the decision requires an expedited response, at the discretion of the Clerk, an Executive committee, consisting of the Chair, Vice-Chair, Chair of Finance and General Purposes and Chair of Community Development will be convened on an *ad hoc* basis and will have delegated powers to make decisions which must be in line with the agreed policies and procedures of the Council. Any decisions will be formally ratified at the next Full Council meeting.

Last updated: 15.06.20