



# **WEST HOATHLY PARISH COUNCIL**

representing Highbrook, Selsfield, Sharpthorne, Tyes Cross and West Hoathly

## **Scheme of Delegation**

**This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), and Committees of the Council to act with delegated authority in the specific circumstances detailed.**

### **1. Responsible Financial Officer Duties & Powers**

The Responsible Financial Officer to the Council shall be responsible for the Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

### **2. Proper Officer Duties & Powers**

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

- 2.1.1** Receive declarations of acceptance of office;
- 2.1.2** Receive and record notices disclosing interests at meetings;
- 2.1.3** Receive and retain plans and documents;
- 2.1.4** Sign notices, agreements, licences or other documents on behalf of the Council;
- 2.1.5** Receive copies of By-laws made by another local authority;
- 2.1.6** Certify copies of By-laws made by the Council;
- 2.1.7** Sign and issue summonses to attend meetings of the Council.
- 2.1.8** Keep proper records for all Council Meeting
- 2.1.9** Notify the Returning Officer of any casual vacancies and liaise with him regarding the conduct of elections

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

- 2.2.1** The day to day administration of services, together with routine inspection and control.
- 2.2.2** Authorisation of routine expenditure up to £1,000 within agreed budgets.
- 2.2.3** Emergency or necessary expenditure up to £500 outside of the agreed budget (see 7 - Urgent matters below).
- 2.2.4** Dealing with all press and public relations on behalf of the Council in consultation with the Chairman or Vice-Chairman.

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

### **3. Standing Committees of the Council**

The Council may at the Annual Meeting appoint Standing Committees, and may at any other time, appoint such other Committees as are necessary, but subject to any statutory provision in that behalf:-

- 3.1** Shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting, and may at any time dissolve or alter the Membership of a Committee
- 3.2** The Chairman of the Council shall be an Ex Officio member of every Committee
- 3.3** Every Committee shall propose a Chairman and Vice Chairman, at the Annual Meeting of the Committee. That Chairman and Vice Chairman then preside until the next Annual Meeting of the Committee.
- 3.4** Committees shall meet within the timetable approved by the Council at its Annual meeting or on appointment of the Committee
- 3.5** Meetings shall be open to the public, although the Committee may resolve to exclude the press and public under s1 Public Bodies (Admission to Meetings) Act 1960 only when there are confidential matters to be discussed
- 3.6** The Chairman of a Committee or the Chairman of the Council may summon a special meeting of that Committee at any time. A special meeting shall also be summoned on the requisition in writing of not less than a quarter of the Members of the Committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting
- 3.7** The quorum of all Committees will be one third of the membership but no less than 3.
- 3.8** Committees shall, at all times, act in accordance with the Council's Standing Orders and Financial Regulations. The Committees must operate within the statutory framework of powers and duties granted by way of rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by Council from time to time.
- 3.9** The Minutes of any Committee Meetings shall be presented to the next meeting of the Council.
- 3.10** All members of the Council shall receive agendas and supporting papers of Council and all Committees by email, except where this is not possible.
- 3.11** Members of Committees shall vote by show of hands. Chairmen of Committees shall have a second or casting vote.

### **4. Standing Committees of the Council**

A Member who has proposed a motion which has been referred to any Committee of which they are not a Member, may explain his motion to the Committee but shall not vote.

Any Council Member may attend, and with the permission of the Committee Chairman, speak on particular matters at a meeting of a Committee or Sub-Committee of which they are not a member, but may not vote.

## 5. Delegation to Committees

Except as mentioned below, each Committee shall exercise on behalf of the Council the functions assigned to it as set out below.

Committees are not bound to exercise delegated powers and may at their discretion refer matters to the Council for decisions.

Each Committee is required to propose that its minutes and any recommendations therein should be approved and answer any queries and requests for clarifications.

## 6. Delegation - Exceptions

6.1 The borrowing of money

6.2 The setting of the budget and levying of the precept

6.3 The disposal of land, other than lettings for two years or less

6.4 The introduction of new major policy or a change in the Council's established policy

6.5 The making, amending or revoking of Standing Orders, Financial Regulations or this Scheme of Delegation

6.6 The making, amending or revoking of bye-laws

6.7 The purchase of land not provided for, or at a cost in excess of a sum allowed thereof, in any approved capital works.

6.8 Confirming the appointment of a Clerk.

## 7. Urgent Matters

7.1 In the event of any matter arising ***which requires an urgent decision*** notwithstanding delegated powers granted by paragraph 2.2.4 above, the Clerk shall consult with the Chairman of the delegated Committee and/or the Chairman of the Parish Council and those Members so consulted together with the Clerk shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

7.2 Before exercising the delegated powers granted by paragraph 7.1 above, those Members consulted shall consider whether the matter is of sufficient interest to justify the summoning of a Special Meeting of a Committee and, where a meeting is so summoned, the Committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

7.3 Before exercising the delegated powers granted by paragraph 7.1 above, the Committee shall consider whether the matter is of sufficient importance to justify recommending to the Chairman that an Extraordinary Meeting of the full Parish Council should be called.

7.4 Whenever any action is taken under this Standing Order, 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 and of the Council.

## **8. Standing Committees of the Council**

### **8.1 Terms of Reference for Planning Committee (to meet monthly)**

On behalf of the Parish Council the Planning Committee:

- Examines planning applications
- Agrees on applications not requiring further consideration by the full Council.
- Responds to Mid Sussex District Council on behalf of the Parish Council.
- Deals with any planning issues referred to it by the Parish Council.
- Reports back to the next full Parish Council meeting.
- Refers back for full discussion by the Parish Council any applications which may be controversial or have significant impact on the Parish.

### **8.2 Terms of Reference for Asset and Highways Committee (to meet 4 times a year)**

On behalf of the Parish Council the Asset and Highways Committee:

#### **Assets**

- Develops and maintains Finche Field, North Lane Recreation Ground and Sharpthorne Old Playground for the benefit and enjoyment of parishioners.
- Manages and maintains the North Lane Public Toilets
- Manages and maintains the North Lane Recreation Ground Sports Pavilion
- Maintains and develops the children's play spaces at North Lane Recreation Ground and Sharpthorne Old Playground.
- Manages the allotments at Finche Field.
- Liaises with Mid Sussex District Council to ensure Sharpthorne New Playground and Hook Lane Cricket Ground are developed and maintained for the benefit and enjoyment of parishioners.
- Manages the maintenance of Selsfield Common on behalf of the National Trust.
- Develops and updates a management plan for Finche Field.
- Develops and updates a management plan for the trees within the parish
- Works with Mid Sussex District Council to ensure litter bins and dog bins are sited appropriately, maintained and emptied.

#### **Highways**

- Identifies the key Highways issues.
- Reports issues, where necessary, to West Sussex County Council, the police and other authorities.
- Lobbies West Sussex County Council and other authorities on behalf of the Parish.
- Leads on the Parish Council's Local Winter Management Plan.
- Works with West Sussex County Council to ensure salt/grit bins are sited appropriately, maintained and replenished through the winter months.
- Works with West Sussex County Council to ensure the directional fingerposts are kept well maintained.
- Works with West Sussex County Council to maintain the public footpaths/bridleways within the Parish.

- Is responsible for the maintenance of the bus shelters in North Lane and Top Road, Sharpthorne.
- Liaises with West Sussex County Council with respect to public transport issues.
- Disseminates views on highways and transport issues.
- Prepares and manages a draft budget in relation to its responsibilities on behalf of the Parish Council.
- Refers recommendations to the full Parish Council.

Lay members can be appointed to this committee (subject to the make-up of the committee being 2/3 councillors to 1/3 non councillors) but will not have voting rights.

### **8.3 Finance Committee Terms of Reference (to meet twice a year)**

On behalf of the Parish Council the Finance Committee:

- Supervises the management of financial matters including the
  - Preparation and monitoring of budgets
  - Cash flow analysis
  - Production of annual accounts
- Ensures compliance with the council's financial regulations
- Arranges internal and external audits
- Makes recommendations for the setting of the precept
- Maintains records of the Parish's assets and ensures their proper protection
- Leads the evaluation and management of risk including health and safety
- Arranges appropriate insurance against normally insured risks and of the council's assets against loss and damage
- Considers policy issues referred to it by the Parish Council
- Manages the council's policies and procedures
- Makes policy decisions regarding the HoathlyHub on behalf of the Parish Council
- Fulfils the personnel role

As at June 2017 much of the work of this committee is fulfilled by the full Parish Council.

The Finance Committee

- Meets in December to set a General Administration Budget and make recommendations for the setting of the precept
- Meets in April to review the end of year statement of accounts and make recommendations to the full Parish Council on the Annual Governance Statement and Statement of Accounts.