

# Scheme of Delegation

Plaistow and Ifold Parish Council's (the Council) Scheme of Delegation is an essential policy which enables the Council to function efficiently and effectively. Without this Scheme of Delegation, every decision would have to be taken by the Full Parish Council. Decision making powers are given to both Committees and Officers to enable the Council to react to circumstances and operate correctly.

Powers cannot be legally delegated to individual Councillors, Working Parties and/or Steering Groups.

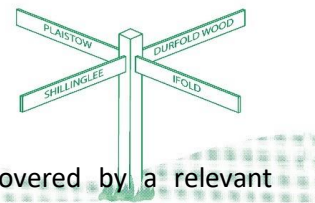
Working Parties and/or Steering Groups are ordinarily established to investigate and/or review a particular matter. They report their findings, which may include recommendations, to the relevant Committee, or the Full Parish Council. The Council has the following permanent Steering Groups: Financial, HR and Lady Hope Playpark.

## 1. The Council' Functions

The following matters are to be dealt with by the Full Council:

- 1.1 Approval of Budgets and setting the Precept
- 1.2 Approval of the Annual Return and Audit of Accounts
- 1.3 Considering and agreeing action to all Internal Audit reports
- 1.4 Authorisation of borrowing
- 1.5 Agreements and/or Contracts
- 1.6 Approval of the level of delegation to the Clerk for the day-to-day operational and financial management of the Council and its services
- 1.7 Approval of changes to the Council's Fixed Asset Register
- 1.8 Winterton Hall
- 1.9 Approval of capital expenditure and planned and preventative maintenance expenditure with respect to premises and/or other assets.
- 1.10
- 1.11 Approval and award of grants and donations
- 1.12 Civic and ceremonial activities and other Parish events
- 1.13 Electoral matters
- 1.14 Highway and traffic matters
- 1.15 Annual review of staff salaries and all other staffing matters, including staff grievances and disciplinary matters in accordance with the Grievance and Disciplinary Policies
- 1.16 All personnel matters not delegated to Officers
- 1.17 Amending Staff structure to reflect the Council's performance needs
- 1.18 Adopting and/or changing all Policies, including the Standing Orders, Code of Conduct, Financial Regulations and the Scheme of Delegation

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- 1.19 Neighbourhood Plan
- 1.20 Freedom of Information Act requests and appeals not covered by a relevant Committee
- 1.21 Consider and resolve all complaints not covered by a relevant Committee
- 1.22 Consider and resolve all appeals to decisions relating to a complaint
- 1.23 Making of Orders under any statutory powers
- 1.24 Making, amending or revoking By-laws
- 1.25 Appointment of Committees
- 1.26 Appointing Council representatives to outside bodies
- 1.27 All other matters which must, by law, be reserved to the Full Council

## 2. Delegation to Committees

The following matters are delegated to the Council's Committees, to make decisions on behalf of the Council. Committees are delegated plenary decision-making powers in respect of matters delegated. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

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

Committees may decide not to exercise delegated responsibility and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision, it will make a recommendation to the Council.

### 2.1 All Committees

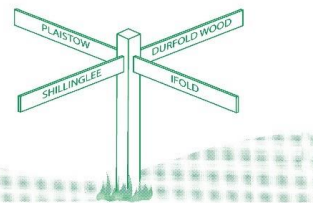
- 2.1.1 Creation and appointment to Working Groups and/or Steering Groups
- 2.1.2 Appointment of non-Councillor members to Working/Steering Groups where they bring additional expertise or knowledge, subject to confidentiality arrangements consistent with those required of a Councillor
- 2.1.3 Review of budget position and consider annual budget request for recommendation to the Council
- 2.1.4 Approval of Risk Management strategy

### 2.2 Planning and Open Spaces Committee

**All matters (except for creating Council policy) relating to:**

- 2.2.1 Planning applications
- 2.2.2 Tree works applications
- 2.2.3 Parish Council's Trees
- 2.2.4 Local and regional plans
- 2.2.5 All other planning matters the Council is consulted on
- 2.2.6 Lady Hope Playpark
- 2.2.7 Coxes Pond, Plaistow

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- 2.2.8 Village Green, Plaistow including Electricity Substation
- 2.2.9 Cricket Pavilion, Plaistow
- 2.2.10 Other open spaces
- 2.2.11 Street naming
- 2.2.12 Parish seating, dog and litter bins
- 2.2.13 CCTV
- 2.2.14 Bus Shelters
- 2.2.15 Street lighting
- 2.2.16 Freedom of Information Act requests and appeals pertaining to the remit of the Planning and Open Spaces Committee
- 2.2.17 Reviewing and making recommendations regarding planning and/or open spaces policies
- 2.2.18 Consider and resolve all complaints pertaining to the remit of the Planning and Open Spaces Committee; appeals to complaint decisions to be referred to the full Parish Council
- 2.2.19 Spend within the Planning and Open Spaces Budget

### 2.3 Winter & Emergency Plan Committee

**All matters (except for creating Council policy) relating to:**

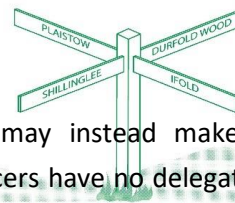
- 2.3.1 Salt bins including audit, signage and equipment
- 2.3.2 All roads not identified as part of WSCC's Precautionary Network
- 2.3.3 Winter treatment and clearance of footways, cycleways and/or 3rd party, or non-highway land
- 2.3.4 Spend within the Winter & Emergency Plan Committee Budget
- 2.3.5 Farmers/Contractors appointed to treat/clear local roads
- 2.3.6 Daily decision on weather conditions
- 2.3.7 Emergency centres
- 2.3.8 Emergency equipment
- 2.3.9 Volunteers
- 2.3.10 Broadband contract
- 2.3.11 Parish Defibrillators
- 2.3.12 Ifold Telephone Kiosk
- 2.3.13 Flooding and Riparian Ownership

### 3. Delegation to Officers

The following matters are delegated to the Council's Officers to make decisions on behalf of the Council. These decisions must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved Policy framework and budget.

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

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Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or to the Council. Similarly, where Officers have no delegated power to make a decision, they report the matter to the relevant Committee, or the Council for a decision.

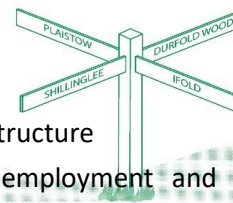
## 3.1 Parish Clerk

The Parish Clerk shall be the Proper Officer and the Responsible Financial Officer of the Council as defined in law.

In addition:

- 3.1.1** Issue all statutory notifications
- 3.1.2** Assume total responsibility for ensuring that the instructions of the Council are carried out in connection with its function as a Local Authority.
- 3.1.3** To make orders, incur expenditure and process payments within authorised budgets.
- 3.1.4** To be accountable for the effective management of all of the Council's resources.
- 3.1.5** To have overall responsibility for the Council's administrative service.
- 3.1.6** To act as a general manager in respect of all of the Council's services, projects and initiatives.
- 3.1.7** Receive Declarations of Acceptance of Office
- 3.1.8** Receive and record notices disclosing pecuniary interests
- 3.1.9** Receive and retain documents and plans
- 3.1.10** Sign notices or other documents on behalf of the Council
- 3.1.11** Receive Planning and tree work applications and make and communicate No Comment decisions to the Planning Authority via electronic means. During a period of emergency, the Clerk may make the Council's views known having consulted with the Chairman of the Planning and Open Spaces Committee.
- 3.1.12** Receive copies of By-laws made by principle authority
- 3.1.13** Certify copies of By-laws made by the Council
- 3.1.14** Sign summons to attend meetings
- 3.1.15** Ensure compliance with Standing Orders and Financial Regulations
- 3.1.16** Manage all Council staff, either directly or indirectly
- 3.1.17** Manage the provision of Council services, buildings, land and resources
- 3.1.18** Incur expenditure in an emergency up to £1,000 pursuant to paragraphs 4.1 and 4.5 of the Financial Regulations whether budgeted or not. In the event the Financial Regulations are suspended, incur expenditure in an emergency up to £1,000 whether budgeted or not with the agreement of either the Chair or Vice Chair. The Clerk shall report such action to the full Parish Council as soon as practicable thereafter.
- 3.1.19** Act on behalf of the Council in an urgent situation and report back to the Council as soon as practicable
- 3.1.20** Deal with dispensation requests from Members under the Code of Conduct
- 3.1.21** Deal with matters specifically delegated by Council or Committee
- 3.1.22** Take all decisions relating to the training of Councillors and staff

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- 3.1.23** Appoint all employees in accordance with the Council's staff structure
- 3.1.24** Authorise minor non-fiscal adjustments to contracts of employment and job descriptions to meet the needs of the Council
- 3.1.25** Appoint casual/temporary members of staff as needed to meet the business needs of the Council and within existing budgets
- 3.1.26** Deal with all disciplinary matters and hearings in accordance with the Council's Disciplinary Policy
- 3.1.27** Enter into settlement agreements with employees up to a maximum of month's salary where this is the prudent option for the Council
- 3.1.28** Responsible for the overall management of all budgets in accordance with Council policies
- 3.1.29** Authorised to issue press releases on any Council activity exercised in accordance with Council policy
- 3.1.30** Overall responsibility for Health and Safety across all Council owned sites
- 3.1.31** Proper administration of the Council's financial affairs
- 3.1.32** Determine accounting policies, records and control systems
- 3.1.33** Report to External Auditor matters under Local Government Finances Act 1988 s.114
- 3.1.34** Arrange and manage the Council's Insurance arrangements
- 3.1.35** Project development for consideration by the Council or relevant Committee
- 3.1.36** Management of maintenance contracts
- 3.1.37** Developing income generating activities
- 3.1.38** Liaise with outside organisations (locally, regionally and nationally) to strengthen the role of the Council and to effect improved communication.
- 3.1.39** Act as the representative of the Council as required.
- 3.1.40** Have overall responsibility for maintaining, implementing and monitoring the effectiveness of the Council's procedural and policy documents.