Adopted on 24th November 2021

Butlers Marston Parish Council

Scheme of Delegation

1. Introduction

Local Councils may only do what legislation requires or permits them to do. With some particular exceptions, the Council may delegate functions to Committees, Sub-Committees, Officers, or other authorities.

The power to delegate functions by local councils is set out in the Local Government Act 1972 s101.

This document has been produced to clarify the manner in which Butlers Marston Parish Council (The Council) has delegated its powers and the authority to spend.

2. Council

Certain functions cannot be delegated and are therefore reserved for the full Council, although an appropriate Committee may make recommendations thereon for the Council's consideration:

- Setting the precept and approval of the Council's budget
- Approval of the Annual Accounts
- Completion of the Annual Return including the Governance Statement
- Consideration of an Auditor's report made in the public interest
- The making, amending or revoking of Standing Orders, Financial Regulations and this scheme of delegation
- Adoption or revision of the Council's Code of Conduct
- Confirmation (by resolution) that the council has satisfied the statutory criteria to exercise the General Power of Competence
- Determination and review of the Bank Mandate
- Matters of principle or policy
- Nomination or appointment of representatives of the Council to outside bodies (except approved conferences or meetings)
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee
- The making, amending or revoking of byelaws
- Agreement to write off bad debts
- Approval by resolution, before payment of any donation
- Authorisation as to terms and purpose of any application for borrowing approval and subsequent arrangements for the loan
- Approval of purchase, acquisition by other means, sale, lease or disposal of real property (interests in land)

- Approval of the virement of unspent and available amounts to other budget headings or reserves
- Approval of changes in earmarked reserves as part of the budgetary process.

3. Proper Officer

According to law, each parish and town council shall have a Proper Officer and carry out the functions as provided by the Local Government Act 1972 and as set out in the job description for the post. For Butlers Marston Parish Council the Proper Officer is the Clerk.

The Clerk is specifically authorised to:-

- Receive declarations of acceptance of office
- Receive and publish Member's Register's of Interest
- Receive and grant Disclosable Pecuniary Interest (DPI) dispensations after consulting with the District Council's Monitoring Officer; details of all dispensations received and granted to be reported to the Council at the next meeting
- Sign and serve on Councillors a summons with an agenda to attend Council and Committee meetings
- Sign notices or other documents on behalf of the Council
- Respond to planning applications on the Council's behalf when the deadline for response is before the next Parish Council meeting. In doing so the clerk may seek and obtain representations from any members of the council by any method in order to inform the response.
- Receive and hold copies of byelaws made by a Principal Local Authority which affect the Council's area
- Receive and retain plans, notices and documents
- Certify copies of byelaws made by the Council
- Undertake the day to day administration of the Council
- Call extra meetings of the Council or any Committee or Sub-Committee as necessary
- Issue press releases and statements to the press on the Council's known policies
- Update and manage the Parish Council's website
- Make arrangements for the maintenance of the IT system and back ups of Parish Council documents
- Handle requests for information under the Freedom of Information Act 2000 and Data Protection Act 1998
- Acknowledge and handle all complaints regarding the Council
- Appoint three members of the council to form a committee in the event of a complaint
- Purchase basic office equipment and supplies
- Arrange for emergency repairs to Parish Council property
- Take appropriate action arising from other emergencies (in consultation with the Chairman of the Council)

- Make arrangements to pay salaries/wages and expenses to all employees and members of the Council
- Prepare minutes and organise their deposit at the relevant records office
- Make arrangements for Council events
- Authorise routine and/or recurring expenditure within the agreed budget
- Authorise payment for items below £750 in consultation with the Chairman
- Authorise emergency expenditure up to £300 whether or not there is budgetary provision for the expenditure

4. Responsible Finance Officer (RFO)

According to law, each Parish and Town Council must have a RFO. The RFO to the Council is responsible for the Council's accounting procedures and financial records and is accountable for the proper administration of its finances, in line with the current Account and Audit Regulations and the Council's adopted Financial Regulations. The functions and duties of the RFO are set out in the job description for the post and cannot be delegated. For Butlers Marston Parish Council the RFO is the Clerk.

5. Committees

The Council may establish Committees which are authorised to:-

- Elect a Chairman from the membership of that Committee
- Approve the Minutes of the last meeting of the Committee
- Spend money from budget headings under that Committee's remit up to the limit of the budget and/or names reserve
- Make recommendations on the budget requirement for the Committee for the coming financial year
- Delegate if permitted their functions to a sub-committee or officer of the Council.