Stratfield Mortimer Parish Council
Scheme of Delegation

Introduction and Interpretation

1. This is the Scheme of Delegation of Stratfield Mortimer Parish Council, incorporating the Terms of Reference of the Council’s Standing Committees and other Bodies and detailing (to the extent they are not detailed in other Council Policies) the powers delegated to such Bodies and to Officers.
2. This Scheme of Delegation adopts the definitions in the Council’s Policy Guidance and Glossary.
3. This Scheme of Delegation flows from the Council’s Standing Orders and Financial Regulations, and if there is any conflict between the Standing Orders, the Financial Regulations and this Scheme of Delegation, the Standing Orders shall prevail first, and the Financial Regulations second.
4. The Appendices detail:

the individual Terms of Reference of Bodies;

the matters delegated to Officers.

Bodies Generally

Membership

1. Each Standing Committee shall consist of the Council Chairman and the Council Vice-Chairman, plus a minimum of five other Councillors, plus such other individuals as the Council shall determine.
2. All other Bodies shall have such Members as their Parent Body shall determine, as detailed in their Terms of Reference, but a Delegated Body must have a minimum of five Voting Members.
3. All Members of a Committee shall be Voting Members unless (in the case of non-Councillors) the Council determines otherwise.

Chairman

1. The Council Chairman shall be the Chairman of F&GP.
2. Each other Standing Committee shall elect a Committee Chairman at the Annual Meeting (*in accordance with the Standing Orders*), or at its next Meeting following a vacancy.
3. The Chairman of any other Body shall be appointed or elected in accordance with its Terms of Reference.

Meetings

1. Each Standing Committee shall have Ordinary Meetings as follows (*to be set out annually in the Calendar in accordance with the Standing Orders*):

F&GP shall meet in a cycle such that it has Ordinary Meetings normally two weeks in advance of Council Meetings;

the Communities Committee and the Facilities Committee shall each meet four times in each Municipal Year;

the Planning and Highways Committee shall meet every three weeks, and:

* + - 1. at four of those Ordinary Meetings in each Municipal Year (to be identified as such in the Calendar), it shall discuss planning, licensing and highways matters;
			2. at the remaining Ordinary Meetings it shall discuss only planning and licensing matters unless the Committee Chairman determines otherwise;

the Committee Chairman may always agree with Officers to cancel an Ordinary Meeting*, eg if there is no business to transact* (*and the Standing Orders set out the requirements for calling Extraordinary Meetings, etc*).

1. Sub-Committees shall hold Meetings as detailed in their Terms of Reference.
2. Steering Groups shall hold Meetings or meetings as detailed in their Terms of Reference (*for the avoidance of doubt, Steering Group meetings need not be held physically and/or in public unless the Terms of Reference dictate, or the Steering Group decides, otherwise*).

Powers to Act

1. Standing Committees and their Sub-Committees shall be Delegated Bodies.
2. Advisory Committees and their Sub-Committees shall be Non-Delegated Bodies.
3. Subject to S101 (*which limits the delegation of local authority functions to committees, sub-committees and officers*), other Sub-Bodies may be Delegated Bodies or Non-Delegated Bodies as determined by their Terms of Reference.
4. As detailed in the Standing Orders:

any Delegated Power given to a Sub-Body may be undertaken by its Parent Body;

where, as part of setting the Annual Budget, a Delegated Budget is assigned to a Body, that Body shall be a Delegated Body and have Delegated Powers in respect of the subject matter of that Delegated Budget (*in accordance with the Financial Regulations*);

Non-Delegated Bodies have power to discuss their Delegated Matters and (eg) advise their Parent Body in respect of such, but no power to act or undertake transactions (but if they have a Body Budget, they may request that a transaction is undertaken within that Body Budget in accordance with the Financial Regulations).

Reporting

1. Following a Meeting or meeting, each Sub-Body shall report to its Parent Body (*eg each Committee shall report to the Council*) at the next Parent Body Meeting, in respect of its activities in the period since the previous Parent Body Meeting, by way of reference to agreed or draft Minutes, a report, or verbally (*usually by the Sub-Body Chairman*), as shall be relevant.

Specific Bodies

Standing Committees and Sub-Bodies

1. The Council has created the following Standing Committees:
* the Finance and General Purposes Committee;
* the Community Committee;
* the Facilities Committee;
* the Planning and Highways Committee.
1. The Finance and General Purposes Committee has created the following Sub-Body:
* the Personnel Sub-Committee.
1. The Communities Committee has created the following Sub-Bodies:
* the Climate and Environment Sub-Committee;
* the Community Involvement Sub-Committee;
* the Mortimer to Burghfield Footpath and Cycleway Steering Group.
1. The Planning and Highways Committee has created the following Sub-Body:
* the Neighbourhood Plan Steering Group.

Working Parties

1. Working Parties are not recorded in this Scheme of Delegation, but in the Minutes of the Meeting or meeting creating them.

Individuals

Clerk

1. The Clerk is the Proper Officer and Responsible Financial Officer of the Council and their duties and powers are recorded in:
* their contract of employment and job description;
* the Council’s Policies, and in particular the Standing Orders and Financial Regulations;
* the relevant Appendix hereto.
1. Where there is a conflict between any of the above, the Appendix shall defer to the Financial Regulations, which shall defer to the Standing Orders, which shall defer to the contract of employment.

Assistant to the Clerk

1. The Assistant to the Clerk’s duties and powers are set out in their contract of employment and job description, together with the Council’s Policies, but in addition the Clerk may delegate any permissible matter within their authority to the Assistant to the Clerk.

Parish Custodian

1. The Parish Custodian’s duties are recorded in their contract of employment and job description.

Appendix – Clerk

The Council

1. The Clerk is authorised to:
* draft Agendas, issue Summonses, and convene Meetings of the Council or any Body:
	+ - * + detailed in the Calendar; or
				+ having consulted with the relevant Body Chairman;
* facilitate Extraordinary Meetings called in accordance with the Standing Orders;
* receive declarations of the acceptance of office;
* receive and publish Subject Members’ declarations of interest, and register the same with the Monitoring Officer;
* convene a Meeting of the Council if a casual vacancy occurs in the office of Council Chairman;
* take steps to fill a casual vacancy in the office of Councillor;
* sign notices or other documents on behalf of the Council;
* receive, retain, and dispose of plans, notices, records, and documents in accordance with Policies or statute;
* certify copies of byelaws made by the Council if appropriate.

Administration

1. The Clerk is authorised to undertake the day to day administration of the Council, including:
* publishing, updating and managing content on the Website and social media;
* issuing press releases and statements on the Website and to the press or on social media relating to the Meetings, actions and activities of the Council and Bodies;
* responding to requests for information and dealing with Freedom of Information Requests and requests under data protection legislation;
* dealing with any complaints regarding the Council (save for where a detailed procedure exists, eg under the Code of Conduct);
* making arrangements for the routine maintenance of the Council’s property;
* purchasing goods and services for the Council in accordance with the Financial Regulations;
* acting as line manager in respect of the Assistant to the Clerk and Parish Custodian.

Finance

1. As RFO, the Clerk is responsible for the Council’s accounting procedures and financial records, and accountable for the proper administration of its finances, in accordance with the Financial Regulations.

Emergencies

1. In the event of an emergency, and subject to the Financial Regulations (*by which (a) the Clerk way authorise expenditure up to £500, (b) the Clerk in conjunction with the Council Chairman/Relevant Body Chairman may authorise expenditure up to £5,000, and (c) in an urgent situation the Council Chairman [or in their absence the Council Vice-Chairman] may authorise any expenditure necessary*), the Clerk is authorised to take such action as necessary to deal with the situation.

Written Records

1. The 2014 Regulations require a written record to be kept of certain decisions made by an officer of a parish council acting under delegated powers, and:

the Clerk will keep a log of any decisions made under delegated powers and will arrange for these to be made open for public inspection via the Website; but

in respect of Regulation 7(2)(b)(iii) of the 2014 Regulations (which requires a log of decisions to “award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position”) it is not considered that any expenditure which relates to a something within the Annual Budget has a material effect on the finances of the Council (and thus need not be logged).

Appendix - Finance and General Purposes Committee

Purpose of the Committee

1. To undertake and keep oversight of Council strategy and policy, financial management, risk management, communications, office administration, and to oversee the work of the Personnel Sub-Committee.

Membership

1. The Council Chairman, the Council Vice-Chairman, the Standing Committee Chairmen, and a minimum of two other Councillors.

Chairman

1. The Council Chairman shall chair the Committee.

Delegated Powers

1. In accordance with the Financial Regulations, and its Delegated Budget as necessary, to manage the following Delegated Matters:

Council strategy and policies, and in particular to:

* + - 1. consider and make recommendations to Council on long term plans and strategy and other policy and strategic matters;
			2. review the: Policy Guidance and Glossary, Code of Conduct, Standing Orders, these Committees and Other Bodies Terms of Reference, and Financial Regulations, at least annually;
			3. keep oversight of other Policies and procedures and organise their review over an agreed three year cycle;

any legal issues;

all matters delegated under the Financial Regulations, including:

* + - 1. preparation of the Annual and Delegated Budgets for Council approval;
			2. forward planning;
			3. accounting and audit;
			4. budgetary control, including Virement;
			5. banking and payments;
			6. loans, investments and grants;
			7. income;
			8. orders, tenders and contracts;
			9. control of assets;

insurance and risk (other than insurance or risk specifically delegated to another Body);

the appointment of the internal auditor.

1. To oversee office administration.
2. To oversee all matters relating to employment, personnel and training, and in particular to:

propose Officer appointments and employment contracts, and any amendments to such contracts, to Council for ratification or agreement;

agree employment contracts with Officers, and agree any necessary changes, for consideration by Council;

establish and oversee a Personnel Sub-Committee to manage personnel issues on behalf of F&GP, in accordance with its particular Terms of Reference;

ensure appropriate training is available to Councillors and Officers;

create, review, and as necessary amend, all of the Council’s Policies relating to personnel matters.

1. To ensure that the Council communicates effectively and efficiently.

Delegated Sub-Body

1. The Committee has established the Personnel Sub-Committee to undertake those matters delegated to it by the Committee, as set out in its Appendix.

Appendix - Personnel Sub-Committee

Purpose of the Sub-Committee

1. To manage and make decisions about all staffing matters.

Membership

1. The Council Chairman, the Council Vice-Chairman, and at least two other members of F&GP.

Chairman

1. The Council Chairman shall chair the Sub-Committee.

Delegated Powers

1. In accordance with the Financial Regulations, and its Delegated Budget as necessary, to manage the following Delegated Matters:

to establish and keep under review the Officer structure (noting that any substantive change to Officer resource will require Council approval);

to keep those Council Policies relating to personnel matters under review and propose and changes to F&GP;

the annual review of salary pay scales;

the recruitment process for Officers and making recommendations as to employment to F&GP;

the drafting of employment contracts and changes to the same for consideration by F&GP;

arranging and/or engaging with the performance management and appraisal of Officers in accordance with personnel Policies and employment contracts;

considering any grievance or disciplinary matters in accordance with relevant Policies.

Meetings

1. The Sub-Committee Chairman, or two Sub-Committee Members, may call a Meeting at any time upon notice in accordance with the Standing Orders.
2. Generally, Sub-Committee Meetings will be held in private (ie the absence of anyone other than Sub-Committee Members) given the nature of the items to be discussed.

Appendix - Communities Committee

Purpose of the Committee

1. To

Delegated Matters

1. In accordance with its Delegated Budget to manage the following Delegated Matters:

Delegated Sub-Bodies

1. The Committee has established the following Sub-Bodies, to undertake those matters delegated to them by the Committee, as set out in their Appendices:
* the Climate and Environment Steering Group;
* the Community Involvement Sub-Committee;
* the Mortimer to Burghfield Footpath and Cycleway Steering Group.

Appendix - Climate and Environment Steering Group

Purpose of the Steering Group

1. To advise the Community Committee and the Council regarding all aspects of the climate and environment, and to represent the Council on bodies, and in respect of initiatives, regarding such.

Membership

1. XXX.

Chairman

1. The Steering Group shall elect a Steering Group Chairman at its first meeting following the Annual Meeting, or at its next meeting following a vacancy.

Delegated Matters

1. To undertake actions, research, projects, etc that will make a positive contribution to climate and environment conservation within the Parish and generally;
2. To take such steps as deemed necessary to increase community involvement in tackling climate change and environmental issues.
3. To join in any local initiatives in furtherance of the Steering Group’s Purpose as agreed by Members.
4. To represent the Council on the WBC Climate Forum.

Meetings

1. The Steering Group Chairman, or two Steering Group Members, may call a meeting at any time upon reasonable notice.

Appendix - Community Involvement Sub-Committee

Purpose of the Sub-Committee

1. To advise the Community Committee and the Council regarding involvement in community projects, initiatives, events, etc.

Membership

1. XXX.

Chairman

1. The Sub-Committee Group shall elect a Sub-Committee Chairman at its first meeting following the Annual Meeting, or at its next meeting following a vacancy.

Delegated Matters

1. To

Meetings

1. The Sub-Committee Chairman, or two Sub-Committee Members, may call a meeting at any time upon reasonable notice.

Reporting

1. The Sub-Committee shall report to the Community Committee at each Committee Meeting in respect of its activities in the period since the previous Committee Meeting, by way of reference to agreed or draft Minutes, a report, or verbally (usually by the Sub-Committee Chairman), as shall be relevant.

Appendix - Mortimer to Burghfield Footpath and Cycleway Steering Group

Purpose of the Steering Group

1. To advise the Community Committee and the Council regarding actions to be taken in respect of the Mortimer to Burghfield Footpath and Cycleway project (“**the Project**”).

Membership

1. XXX.

Chairman

1. The Steering Group shall elect a Steering Group Chairman at its first meeting following the Annual Meeting, or at its next meeting following a vacancy.

Delegated Matters

1. To take all steps necessary to see the Project through to completion, including:

liaison with WBC;

Meetings

1. The Steering Group Chairman, or two Steering Group Members, may call a meeting at any time upon reasonable notice.

Reporting

1. The Steering Group shall report to the Community Committee at each Committee Meeting in respect of its activities in the period since the previous Committee Meeting, by way of reference to agreed or draft Minutes, a report, or verbally (usually by the Steering Group Chairman), as shall be relevant.

Appendix - Facilities Committee

Purpose of the Committee

1. To manage, develop and/or keep oversight of all land and facilities on that land in the control of the Council (“**the Land**”):
* The Fairground and Fairground Car Park;
* the Parish Cemetery;
* the West End Road Car Park;
* the Pillbox;
* Hammonds Heath War Memorial;
* the Pound and Heath Elm Pond;
* Five Oaken Common;
* Windmill Common;
* Brewery Common;
* Summerlug.

Delegated Matters

1. In accordance with its Delegated Budget as necessary, to manage the following Delegated Matters:

the management, upkeep, maintenance and enhancement of all aspects of the Land generally including the grounds, grass and other surfaces, trees, hedging, entrance and other gates, fencing, ponds, verges and ditches;

the administration of The Fairground, and, in particular, any necessary regulations regarding the use or otherwise of the tennis courts, multi use games area, playground and exercise equipment;

the administration of the Parish Cemetery and control of the Cemetery Regulations and any associated Documents, rules, etc;

establishing any rules, etc, relating to the use of any element of the Land.

1. The setting of any fee or fees in relation to the use of any element of the Land (for example Cemetery fees, fees for the use of the tennis courts, and fees for the use of The Fairground).
2. The management of risk in relation to any relevant aspect of the Land.

Appendix - Planning and Highways Committee

Purpose of the Committee

1. To deal with:
* planning applications and related matters;
* planning policy;
* licensing matters;
* highways matters.

Delegated Matters

*Planning*

1. On behalf for the Council to comment (where the Council has an ability to comment) in respect of the following:

relevant planning applications being considered by WBC;

relevant proposals as to planning policy initiated by WBC, nationally, etc;

proposed tree preservation orders;

proposals to street names and numbering;

consultations relating to planning matters.

1. To attend meetings of a WBC Planning Committee meeting in relation to any relevant planning application being considered, to give views on behalf of the Council (the Committee Chairman, or an individual they designate, shall represent the Council).
2. To appoint, and liaise with, a Neighbourhood Plan Sub-Committee in relation to those Delegated Matters assigned to it by the Committee (see Appendix Bd).

*Licensing*

1. On behalf for the Council to comment (where the Council has an ability to comment) in respect of the following:

relevant licensing applications being considered by WBC;

relevant proposals as to licensing policy initiated by WBC;

consultations relating to licensing matters.

*Highways*

1. On behalf for the Council to comment (where the Council has an ability to comment) in respect of proposals as to anything affecting the highway network within the Parish (or a neighbouring parish), including Public Rights Of Way (“**PROWs**”).
2. To monitor, and as necessary report to WBC/landowners, in respect of the condition of roads, footways, PROWs and permissive paths.
3. To seek to develop the footpath network within the Parish and promote its use.
4. To monitor .

Appendix – Neighbourhood Plan Steering Group

Purpose of the Sub-Committee

1. To produce a draft Stratfield Mortimer Neighbourhood Plan for proposed adoption in advance of the WBC (emerging) Local Plan period (from 2026)
2. To review progress in respect of the Stratfield Mortimer Neighbourhood Development Plan (2017).
3. To liaise generally with the Planning and Highways Committee regarding development of planning policy (locally and nationally).

Membership

1. XXX.

Chairman

1. The Steering Group shall elect a Steering Group Chairman at its first meeting following the Annual Meeting, or at its next meeting following a vacancy.

Delegated Matters

1. Delegated Matters assigned to it by the Committee.

local planning policy arising from the Stratfield Mortimer Neighbourhood Development Plan (2017);

the development of a Stratfield Mortimer Neighbourhood Development Plan

Policy control

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| Version | Date | Editor | Changes | Approved |
| On | By |
| 1.0 | XX |  | Initial version (as Committee ToR) | ?? | Council |
| 1.1 | XX/12/24 | G Bridgman | Complete revision |  |  |
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