



# 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 statutory or 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:
  - 4.1 the individual Terms of Reference of Bodies;
  - 4.2 the matters delegated to Officers.

### Bodies Generally

#### Membership

- 5 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.
- 6 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.
- 7 All Members of a Body shall be Voting Members unless (in the case of non-Councillors) the Council or the Body's Terms of Reference determine otherwise.

#### Chairmen

- 8 The Council Chairman shall be the Chairman of F&GP.
- 9 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.
- 10 The Chairman of any other Body shall be appointed or elected in accordance with its Terms of Reference.

#### Meetings

- 11 As detailed in the Standing Orders, at each Annual Meeting the Council will determine *the time and place of Council Meetings and Standing Committee Meetings up to and including the next Annual Meeting, to be detailed in the Calendar.*

- 12 Each Standing Committee shall have Ordinary Meetings as follows:
- 12.1 usually, F&GP shall meet in a cycle such that it has Ordinary Meetings one or two weeks in advance of Council Ordinary Meetings;
  - 12.2 usually, the Community Committee and the Estate Management Committee shall each have four Ordinary Meetings in each Municipal Year;
  - 12.3 usually, the Planning and Highways Committee shall have Ordinary Meetings every three weeks, such that:
    - 12.3.1 in at least 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;
    - 12.3.2 in the remaining Ordinary Meetings it shall discuss only planning and licensing matters unless the Committee Chairman determines otherwise;
  - 12.4 the Committee Chairman may always agree with Officers to cancel an Ordinary Meeting, eg if there is no business to transact.
- 13 The Standing Orders set out the requirements for calling an Extraordinary Meeting of a Standing Committee.
- 14 Sub-Committees shall hold Meetings as detailed in their Terms of Reference.
- 15 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).

#### Quorum

- 16 As set out in the Standing Orders, no business may be transacted at a Meeting unless the number of Voting Members present is at least:
- 16.1 *three and also one-third of the Voting Membership for a Council or Committee Meeting; or*
  - 16.2 *the quorum set out in the relevant Terms of Reference for a Body other than a Committee, or three if no quorum is so set out.*

#### Powers to Act

- 17 A Standing Committee, a Standing Sub-Committee or an Other Committee (if any) shall be a Delegated Body in respect of those Delegated Matters in its Terms of Reference and shall be a Relevant Body in respect of its Body Budget.
- 18 An Advisory Committee or Sub-Committee shall not be a Delegated Body.
- 19 A Steering Group shall be a Delegated Body in respect of those Delegated Matters in its Terms of Reference but shall not be a Relevant Body - rather it shall be required to request transactions in accordance with its Body Budget (if any) in compliance with the Financial Regulations.
- 20 A Working Party, or other Body that is not a Delegated Body, shall have the power to discuss such matters as are referred to them by their Parent Body, but no power to act or undertake transactions.
- 21 Any Delegated Power given to a Sub-Body may be undertaken by its Parent Body.

## Reporting

- 22 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

- 23 The Council has created the following Standing Committees:
- the Finance and General Purposes Committee;
  - the Community Committee;
  - the Estate Management Committee;
  - the Planning and Highways Committee.
- 24 The Finance and General Purposes Committee has created the following Sub-Body:
- the Personnel Sub-Committee.
- 25 The Community Committee has created the following Sub-Bodies:
- the Climate and Environment Steering Group;
  - the Mortimer to Burghfield Footpath and Cycleway Steering Group.
- 26 The Planning and Highways Committee has created the following Sub-Body:
- the Neighbourhood Plan Steering Group.

### Working Parties

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

## Individuals

### Clerk

- 28 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.
- 29 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

- 30 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

- 31 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

- 2 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 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

- 3 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

- 4 In the event of an emergency, and subject to the Financial Regulations (*by which (a) the Clerk may 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

- 5 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:
  - 5.1 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
  - 5.2 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, and office administration.

### Membership

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

### Chairman

- 3 The Council Chairman shall chair the Committee.

### Delegated Matters

- 4 To manage:
  - 4.1 Council strategy and policies, and in particular to:
    - 4.1.1 consider and make recommendations to the Council on long term plans and strategy and other policy and strategic matters;
    - 4.1.2 review the Policy Guidance and Glossary, Standing Orders, Financial Regulations, Code of Conduct, and Scheme of Delegation, at least annually;
    - 4.1.3 create, review, and as necessary amend, the Council's Policies relating to personnel matters;
    - 4.1.4 keep oversight of all other Policies, Documents and procedures, and organise their review over an agreed cycle;
  - 4.2 any legal issues;
  - 4.3 all matters delegated under the Financial Regulations, including:
    - 4.3.1 preparation of the Annual Budget for Council approval;
    - 4.3.2 forward planning;
    - 4.3.3 accounting and audit;
    - 4.3.4 budgetary control;
    - 4.3.5 banking and payments;
    - 4.3.6 loans, investments and grants;
    - 4.3.7 income;
    - 4.3.8 orders, tenders and contracts;
    - 4.3.9 control of assets;
  - 4.4 insurance and risk (other than insurance or risk specifically delegated to another Body);
  - 4.5 the appointment of the internal auditor.
- 5 To oversee office administration.
- 6 To oversee all matters relating to employment, personnel and training, and in particular to:

- 6.1 propose Officer appointments and employment contracts, and any amendments to such contracts, to Council for ratification or agreement;
- 6.2 agree employment contracts with Officers, and agree any necessary changes, for consideration by Council;
- 6.3 ensure appropriate training is available to Councillors and Officers.

#### Sub-Body

- 7 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 – Community Committee

### Purpose of the Committee

- 1 To develop and promote all the ways in which the Council may communicate with the community.
- 2 To liaise with organisations in the Parish to see how the Council can enhance and extend their activities for the benefit of residents.
- 3 To identify suitable events or activities that are not available in the Parish and explore ways of making them happen.

### Delegated Matters

- 4 To manage:
  - the content, production and distribution of the Council's newsletter;
  - the holding of public surgeries;
  - the development of the use of Website, social media, public consultations and public meetings to promote two-way communication with residents;
  - liaison with village organisations\* to support existing or proposed community-based events or activities as deemed appropriate, which may include financial support;
- 5 Where an activity or event is identified as currently not available, but which would be beneficial to the village, to seek to find an organisation\* to encourage and support to organise this - where no such organisation can be found the Committee may consider asking the Council to run such an activity/event itself.

(\*In general the Committee will work with not for profit organisations, but there may be occasions where cooperation with a business is appropriate. )

### Sub-Bodies

- 6 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 Mortimer to Burghfield Footpath and Cycleway Steering Group.

## Appendix – Estate Management Committee

### Purpose of the Committee

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

### Delegated Matters

- 2 To manage:
  - 2.1 the 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;
  - 2.2 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;
  - 2.3 the administration of the Parish Cemetery and control of the Cemetery Regulations and any associated Documents, rules, etc;
  - 2.4 any rules, etc, relating to the use of any element of the Land;
  - 2.5 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);
  - 2.6 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

- 2 On behalf for the Council to comment (where the Council has an ability to comment) in respect of the following:
  - 2.1 relevant planning applications being considered by WBC or a neighbouring local authority;
  - 2.2 relevant proposals as to planning policy initiated by WBC, nationally, etc;
  - 2.3 proposed tree preservation orders;
  - 2.4 proposals to street names and numbering;
  - 2.5 consultations relating to planning matters.
- 3 To attend meetings of any WBC Planning Committee considering a relevant planning application and give views on behalf of the Council (the Committee Chairman, or an individual they designate, shall represent the Council).
- 4 To review progress in respect of the development of the Stratfield Mortimer Neighbourhood Development Plan (2017) designated site ('MOR006') and the emerging Neighbourhood Plan.

#### Licensing

- 5 On behalf for the Council to comment (where the Council has an ability to comment) in respect of the following:
  - 5.1 relevant licensing applications being considered by WBC;
  - 5.2 relevant proposals as to licensing policy initiated by WBC;
  - 5.3 consultations relating to licensing matters.

#### Highways

- 6 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.
- 7 To (a) monitor and as necessary report to WBC/landowners, and/or (b) undertake such steps within the power of the Council as the Committee considers necessary, in respect of the condition of roads, footways, Public Rights Of Way and permissive paths within the Parish (including road or other signage and street furniture), or anything bordering such (in particular, hedges).

- 8 To seek to develop the footpath network within the Parish and promote its use.
- 9 To take such steps as the Committee deems necessary in relation to traffic monitoring within the village, including:
  - liaison with WBC in relation to traffic management equipment (agreements, deployment, data, etc);
  - liaison with Thames Valley Police in relation to the Community Speedwatch programme;
  - the deployment and operation of traffic management equipment.

#### Delegated Sub-Body

- 10 The Committee has established the following Sub-Body, to undertake those matters delegated to it by the Committee, as set out in its Appendix:
  - the Neighbourhood Plan Steering Group.

## Appendix – Personnel Sub-Committee

### Purpose of the Sub-Committee

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

### Membership

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

### Chairman

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

### Delegated Matters

- 4 To:
  - 4.1 establish and keep under review the Officer structure (noting that any substantive change to Officer resource will require Council approval);
  - 4.2 keep those Council Policies relating to personnel matters under review and propose any changes to F&GP;
  - 4.3 manage the annual review of salary pay scales;
  - 4.4 manage the recruitment process for Officers and make recommendations as to employment to F&GP;
  - 4.5 manage the drafting of employment contracts and changes to the same for consideration by F&GP;
  - 4.6 arrange and/or engage with the performance management and appraisal of Officers in accordance with personnel Policies and employment contracts;
  - 4.7 consider any grievance or disciplinary matters in accordance with relevant Policies.

### Meetings

- 5 The Sub-Committee Chairman, or two Sub-Committee Members, may call a Meeting at any time upon notice in accordance with the Standing Orders.
- 6 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 – 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

- 2 At least three individuals appointed by the Community Committee comprising:
  - 2.1 at least two Councillors;
  - 2.2 other individuals appointed for their interest and/or knowledge in the work of the Steering Group.

### Chairman

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

### Delegated Matters

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

### Meetings

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

## 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

- 2 At least three individuals appointed by the Community Committee comprising:
  - 2.1 at least two Councillors;
  - 2.2 other individuals appointed for their interest and/or knowledge in the Project.

### Chairman

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

### Delegated Matters

- 4 All steps necessary to see the Project through to completion, including:
  - 4.1 liaison with any necessary parties including:
    - WBC;
    - landowners (including the preparation of leases);
    - the project manager;
  - 4.2 preparation of any necessary documentation or applications;
  - 4.3 in accordance with the Financial Regulations and Standing Orders as regards any sign-off necessary:
    - 4.3.1 exploring financing options including research into and preparation of grant applications;
    - 4.3.2 agreeing tenders and contracts for:
      - project management; and
      - construction.

## Appendix – Neighbourhood Plan Steering Group

### Purpose of the Steering Group

- 1 To produce a draft Stratfield Mortimer Neighbourhood Plan for proposed adoption in advance of the WBC (emerging) Local Plan period (from 2026).

### Membership

- 2 At least five individuals appointed by the Planning and Highways Committee comprising:
  - 2.1 at least two Councillors;
  - 2.2 other individuals appointed for their interest and/or knowledge in developing the Neighbourhood Plan.

### Chairman

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

### Meetings

- 4 The Steering Group shall hold Meetings (*ie in public*) and issue agendas and minutes as if it was a Sub-Committee (*ie published on the Website*).

### Delegated Matters

- 5 The production of the draft Neighbourhood Plan and progressing such through consultation and other required stages towards adoption.