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 matters delegated to Officers;

4.2 the individual Terms of Reference of Bodies.

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 As detailed in the Standing Orders, *a non-Councillor appointed to a Committee or Sub-Committee may not be a Voting Member of that Body, unless the vote is in respect of one of the functions set out in s13(3) and (4)(e) of the 1989 Act or Regulation 3 of the 1990 Regulations*. Subject to this, 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.

8 For the avoidance of doubt, all Members of a Body are subject to the Code of Conduct as Subject Members (ie *whenever they are acting, claiming to act, or giving the impression they are acting, in their capacity as a Councillor, Co-Opt or co-opt*).

Chairmen

9 The Council Chairman shall be the Chairman of F&GP.

10 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.

11 The Chairman of any other Body shall be appointed or elected in accordance with its Terms of Reference.

Meetings

12 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.*

13 Each Standing Committee shall have Ordinary Meetings as follows:

13.1 usually, F&GP shall meet in a cycle such that it has Ordinary Meetings one or two weeks in advance of Council Ordinary Meetings;

13.2 usually, the Community Committee and the Estate Management Committee shall each have four Ordinary Meetings in each Municipal Year;

13.3 usually, the Planning and Highways Committee shall have Ordinary Meetings every three weeks, such that:

13.3.1 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;

13.3.2 in the remaining Ordinary Meetings it shall discuss only planning and licensing matters unless the Committee Chairman determines otherwise;

13.4 the Committee Chairman may always agree with Officers to cancel an Ordinary Meeting, eg if there is no business to transact.

14 The Standing Orders set out the requirements for calling an Extraordinary Meeting of a Standing Committee.

15 Sub-Committees shall hold Meetings as detailed in their Terms of Reference.

16 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

17 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:

17.1 *three and also one-third of the Voting Membership for a Council or Committee Meeting*; or

17.2 *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

18 A Standing Committee, a Standing Sub-Committee or an Other Committee shall be a Delegated Body.

19 An Advisory Committee or a Working Party shall only deal with Assigned Matters and shall not be a Delegated Body.

20 A Steering Group shall only deal with Assigned Matters and shall not be a Delegated Body (but may request any necessary actions and/or transactions in accordance with its Terms of Reference and/or any Body Budget in compliance with this Scheme of Delegation and the Financial Regulations [eg to be undertaken by the Clerk]).

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, Standing Sub-Committees and Sub-Bodies

23 The Council is the Parent Body for 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 is the Parent Body for the following Standing Sub-Committee:

- the Personnel Sub-Committee.

25 The Community Committee is the Parent Body for the following Sub-Body:

- the Climate and Environment Steering Group.

26 The Estate Management Committee has no Sub-Bodies.

27 The Planning and Highways Committee is the Parent Body for the following Sub-Bodies:

- the Basingstoke and Deane Local Plan Steering Group;
- the Neighbourhood Plan Steering Group.

Working Parties

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

Individuals

Clerk

29 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.

30 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.

Deputy Clerk

31 The Deputy 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 Deputy Clerk.

Parish Custodian

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

Appendix – Clerk

Bodies generally

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 of a Body called in accordance with the Standing Orders.

The Council

2 The Clerk is authorised to:

- 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;
- take such steps as may be needed, in consultation with the Council Chairman as it appears to the Clerk to be necessary, to action Resolutions or other decisions of the Council.

Committees, Sub-Committees and Steering Groups

3 The Clerk, following such consultation with the Council Chairman and/or relevant Body Chairman as thought necessary, is authorised (in compliance with the Financial Regulations where relevant) to:

- take such steps as may be needed to action Resolutions or other decisions of a Committee or Sub-Committee;
- decide whether a request to take action on behalf of a Steering Group in respect of an Assigned Matter is warranted and take such steps as appear necessary if so.

Administration

4 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 Deputy Clerk and Parish Custodian.

Finance

5 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

6 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 consultation with the Council Chairman/relevant Delegated Body Chairman may authorise expenditure up to £5,000, and (c) in an urgent situation [to be determined by the Clerk in consultation with the Council Chairman] the Clerk may authorise any expenditure necessary*), the Clerk is authorised to take such action as necessary to deal with the situation.

Written Records

7 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:

7.1 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

7.2 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 considered that any expenditure which relates to something within the Annual Budget will not have 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 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 personnel matters, and in particular to receive relevant proposals from the Personnel Sub-Committee regarding:

6.1 proposed new Officer appointments and terms of employment for submission to Council for resolution;

6.2 agreeing changes to existing Officer terms of employment, salary rates, contracts, etc.

7 To ensure that appropriate training is available to Councillors and Officers.

Sub-Body

8 The Committee is the Parent Body for the Personnel Sub-Committee (see relevant 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 Annual Newsletter and electronic Bulletins;
- 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 (in particular via Community Grant awards);
- the calling of, agenda for, and topics to be discussed at, the Annual Parish Meeting.

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.

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

Sub-Body

7 The Committee is the Parent Body for the Climate and Environment Steering Group (see relevant Appendix).

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 Mortimer to Burghfield Footpath and Cycleway;
- 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.

Sub-Body

3 The Committee has no Sub-Bodies.

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.

Sub-Bodies

10 The Committee is the Parent Body for (i) the Basingstoke and Deane Local Plan Steering Group and (ii) the Neighbourhood Plan Steering Group (see relevant Appendices).

Appendix – Personnel Sub-Committee

Purpose of the Sub-Committee

1 To manage and make decisions about all staffing matters.

Membership

2 The 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 and propose any changes to F&GP;

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 in 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.

Assigned 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 – Neighbourhood Plan Steering Group

Purpose of the Steering Group

1 To produce a draft Stratfield Mortimer Neighbourhood Plan for proposed adoption in alignment with the WBC Local Plan period (2025 to 2041).

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.

4 Meetings

5 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).

Assigned Matters

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

Appendix – Basingstoke and Deane Local Plan Steering Group

Purpose of the Steering Group

1 To respond to any relevant proposals ("the Proposals") resulting from the revision (commenced in January 2025) of the Basingstoke and Deane Borough Council ("B&DBC") Local Plan ("the Plan") that, in the view of the Steering Group, affect the Parish.

2 To keep parishioners updated as to the Steering Group's activities, and to co-ordinate as considered desirable any public response to the Proposals.

Membership

3 At least five individuals appointed by the Planning and Highways Committee comprising:

3.1 at least two Councillors;

3.2 at least one non-Councillor member of the Neighbourhood Plan Steering Group;

3.3 other individuals appointed for their interest and/or knowledge in responding to the Proposals.

Chairman

4 The Steering Group shall elect a Chairman from amongst it's Councillor Members at its initial meeting, at its first meeting following the Annual Meeting, or at its next meeting following a vacancy.

Meetings

5 The Steering Group shall hold meetings (ie in private or public as seems appropriate in the circumstances).

Assigned Matters

6 Proposed responses to the Proposals in accordance with the timetable of consultation issued by B&DBC.

7 Any other proposed liaison or communication with B&DBC as seems necessary to the Steering Group.

8 Any proposed liaison or communication with West Berkshire Council regarding the Duty to Cooperate (Localism Act 2011) and/or any other matter relating to the Proposals as seems necessary to the Steering Group.