

# **Delegated Powers**

## **(Council and Committees)**

**ADOPTED BY THE PARISH COUNCIL – 14<sup>th</sup> November 2011**

### **1. Full Council (9 Members)**

The full Council can take all decisions on behalf of Bleadon Parish Council or it may appoint one or more committees or sub committees for the purpose of discharging an of its functions. It may also delegate some of its functions to the officer (s) of the Parish Council. This document sets out the agreed delegation to committees and the Council's Proper Officer and Responsible Financial Officer.

Any arrangements made by the Parish Council or its committees for the discharge of its duties do not prevent the Council or parent delegating committee from continuing to exercise those functions.

The following powers may only be exercised by the full Parish Council:

- 1.1 Power of fixing the Parish Precept and borrowing and lending money
- 1.2 Determining the Council's annual budget and approval of expenditure outside the approved estimates
- 1.3 The power to approve schemes for local lotteries
- 1.4 The duty to consider an auditor's report under S11 of the Audit Commission Act 1998
- 1.5 Approval of the Council's Corporate Policy
- 1.6 Adoption of new policies
- 1.7 Making amending revoking re-enacting or adopting bye laws and promoting or opposing the making of local legislation.
- 1.8 Appointment of members to serve on committees and outside bodies
- 1.9 All other matters which must by law be reserved to the full Council

### **2 Committees**

- 2.1 The following Committees shall be Standing Committees of the Council and shall consist of such members as the Council shall from time to time determine
  - (a) Finance & Personnel Committee
  - (b) Planning Committee
  - (c) Open Spaces Committee

- 2.2 The Council shall at the Annual Meeting of the Parish Council appoint the Chairman and members of the Standing Committees and may at any other time appoint such other Committees as are necessary but:
- (i) shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting and
  - (ii) may at any time dissolve a Committee other than a Standing Committee
  - (iii) may at any time alter the membership of a Committee
- 2.3 The Council or any Standing Committee may appoint such Sub-Committees or Working Parties as they deem fit for purposes to be specified by the Council or Standing Committees
- (i) The Chairman and Vice Chairman of the Council shall be ex-officio members of every Committee with full voting powers
  - (ii) The Chairman and Vice-Chairman (if so appointed) of the committee shall be members of every sub-committee unless they signify they do not wish to serve
- 2.4 On all occasions three clear days Notice of a Committee Meeting must be posted and a summons specifying the business delivered to the usual residence of every councillor
- 2.5 The quorum of a Committee shall be THREE members to include the ex-officio members
- 2.6 The Standing Orders on rules of debate and interests of members shall apply to Committee and Sub-Committee meetings in so far as they are appropriate
- 2.7 Chairman of Committees and Sub-Committees shall have a second vote or casting vote where otherwise there would an equal number of votes
- 2.8 Any member who has proposed a motion which has been transferred to a Committee of which they are not a member may explain the motion to the Committee but shall not vote
- 2.9 Any Council member shall unless the Council otherwise orders be entitled to be present as a spectator at a meeting of any Committee of which they are not a member but shall not vote
- 2.10 If members numbering at least half of the of the voting members present at a Committee meeting so request immediately after the vote is taken on any matter

which is otherwise within the Committee's delegated powers the decision shall take the form of a Recommendation to the Council and shall not be effective unless and until approved by the Council

### **3. Finance and Personnel Committee (3 members plus ex-officio)**

3.1 The Committee has delegated power to decide all matters required to be determined by members (including all financial and personnel matters) except those issues within the remit of the other Committees of the Council and those matters which are reserved for decision by the full Council. The Committee will consider and make recommendations to the full Council on the following matters

- (i) Issuing a precept and borrowing of money
- (ii) approval of capital and revenue estimates
- (iii) matters of policy or new issues of importance
- (iv) monitor the Income and Expenditure quarterly in relation to the Budget
- (v) liaise with the internal auditor
- (vi) agree salaries and increments
- (vii) monitor all employment issues including regular staff appraisals
- (viii) recommend new employee(s)
- (ix) review and approve grant applications

### **4. Planning Committee (3 Members plus ex-officio)**

4.1 The Committee has delegated power to make observations to the Local Planning Authority on planning applications and like matters except those deemed by the Committee Chairman to be contentious then a full Council Meeting will be called. In addition the Committee will:

- (i) Monitor the condition of highways pavements lighting signs and street names

## **5. Open Spaces (3 Members plus ex-officio)**

5.1 The Committee has delegated power to decide all matters required to be determined by members except those issues within the remit of the other Committees of the Council and those matters which are reserved for decision by the full Council. The Committee will consider and make recommendations to the full Council on the following matters

- (i) Allotments
- (ii) Churchyard
- (iii) Children's Playarea
- (iv) Footpaths & Bridleways
- (v) Those village areas designated and registered as village greens
- (vi) Monitor the provision and condition of street furniture in the village and make recommendations to the Council for expenditure on items including bins bus shelters seats and other items owned by Bleadon Parish Council

## **6. Working Groups**

6.1 Where Working Groups are established they will be convened by their lead member and maintain their own notes which shall be reported in full to the main Committee. They are advisory bodies only with no delegated decision making powers. Officer(s) will attend by invitation only as ad hoc advisor(s)

## **7 Delegation to the Parish Clerk**

7.1 The Parish Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer

The Parish Clerk is authorised to undertake the following functions:

- (i) To sign documents on behalf of the Council
- (ii) To institute and appear in any legal proceedings authorised by the Council

- (iii) To manage the Council staff in accordance with the Council's policies procedures and budget
  - (a) staff performance and discipline
  - (b) payments of expenses and allowances in accordance with the Council's scheme
  - (c) the approval of increments
  - (d) implement national pay awards and conditions of service in line with the National Joint Council Scheme of Conditions of Service as amended by Local Agreement
  - (e) the establishment of new posts and any changes to posts or terms and conditions which would have implications for the budget shall be subject to approval by the Finance and Personnel Committee
- (iv) To manage all the Parish Council's services and property in line with the budgets and policies approved by the members
- (v) To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000
- (vi) To act as the Responsible Financial Officer of the Parish Council and be authorised to undertake all the financial and contractual functions designated within Financial Procedural Rules
- (vii) To authorise expenditure up to a maximum £ 500.00 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Financial Regulations

## 7.2 Urgency Matters

Subject to consultation with the Chairman and/or Vice Chairman of the Parish Council or the relevant Committee Chairman the Parish Clerk is authorised to act on behalf of the Council on any matter where urgent action is needed to protect

the interests of the Parish Council. Any such action to be reported to the next meeting of the Parish Council or relevant committee.

### 7.3 Absence of the Parish Clerk

In the absence of the Parish Clerk the role may be undertaken temporarily by a member of the Council (unpaid) or a locum Clerk from a neighbouring parish council with the approval of the Finance & Personnel Committee