



SCHEME OF DELEGATION

1. Introduction

This document sets out the way Western Valley Parish Council has delegated powers and responsibilities. This document is one of the four major ways in which the Council regulates its affairs; the others are its Standing Orders, Financial Regulations and Statement of Internal Control.

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

The intention of the delegation scheme is to allow the Council to act with all reasonable speed. Decisions should be taken at the most suitable level. Therefore, the Clerk is given powers over the day-to-day administration of the Council or committees to decide matters within the Terms of Reference and matters of major policy should be recommended to the full Council.

Whilst delegation is necessary it is the Council's policy that members and the press and public should have the fullest information. Therefore, the Clerk reports all major decisions taken under delegated powers at the next Council or Committee meeting.

2. Proper Officer, Responsible Finance Officer (RFO)

The Clerk shall be:

- The Proper Officer and will carry out the functions as provided by the Local Government Act 1972
- The RFO in accordance with the Accounts & Audit Regulations in force at any given time.
- The DPO as required by the General Data Protection Regulations 2018

3. Delegated Powers and Responsibilities

In addition to the responsibilities set out in the Clerk's job description, the Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services
- Authorisation to call any extra meetings of the Council, or Committee, as necessary, having consulted with the Chair of the Council or Committee
- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council or Committee
- Authorisation of routine expenditure in accordance with the Council's Financial Regulations
- Preparation and submission of Planning application consultation responses where the Council's agreed stance is known.



- Handling requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1988 or GDPR Regulations
- Issuing press releases and statements on the Council's known policies
- Updating and managing the content of the Council's website
- Co-ordinating the Council's newsletter articles e.g. for Facebook or other requests for articles.
- Disposal of Council records according to legal restrictions and the Council's Retention Policy
- Take appropriate actions arising from emergencies in consultation with the Chair/Vice Chair of the Council as appropriate to the circumstances.
- An emergency situation is defined as a time when the Council cannot act under its normal standing orders due to circumstances outside of its control.

4. Emergency Situations

To note that it is lawful for the Clerk to spend against specific items in the Parish Council's budget i.e., for contractors, hall hire, salaries etc., all of which having been identified in the budget when setting the precept, any such payments to be reported to the Council and Finance Committee at the next ordinary meeting of each.

The Council approves delegation of the following items to the Proper Officer

- Clerk may spend up to £500 and to authorise urgent work when unforeseen circumstances occur.
- Clerk may spend up to £5000 and to authorise urgent work when unforeseen circumstances occur, with written confirmation from the Chair / Vice Chair or Chair of a specific committee.
- To respond to planning applications having consulted with Members of the Planning Committee, including the Chair and Vice Chair. (Other councillors are still able to submit their own personal comments) where a response is required before an ordinary meeting of the Planning Committee can be held.
- To postpone meetings of the Council, in consultation with the Chair and Vice Chair or Committee Chair, as appropriate, for example where a meeting maybe inquorate.
- To receive and act upon Government advice in relation to the holding of the Annual Meeting of the Parish (noting such meetings must be held before 1 June) and the Annual Meeting of the Parish Council (noting such a meeting must be held in May), thereby giving delegated power to the Clerk to make necessary rearrangements for these meetings in consultation with the Chair.

All work actioned under the Scheme of Delegation is done in consultation with at least a quorum of members except for general day to day responsibilities of the Clerk, everything actioned will also be documented, and reported at the next appropriate meeting.



5. Review

This document was approved for use at the meeting of the Parish Council on 08th May 2025, it shall be reviewed periodically, in accordance with the Standing Orders.

Signed:

Dated: 08th May 2025

Cllr _____, Chair of the Council



Staffing Committee TERMS OF REFERENCE

1. Remit

The Committee is responsible for the employment and welfare of all employees

2. Frequency of Meetings

To meet as required to support the remit and scope of the Staffing Committee.

3. Appointment of members

The Committee will be comprised of four members appointed annually at the Annual Council Meeting, with a quorum of three.

4. Chair

The Chair is to be elected annually by the Committee at their first meeting, before proceeding to any other business. The office shall be held for one year.

5. Voting

Only members appointed to the committee may vote at the meeting. In the case of an equal vote the Chair of the Committee shall have a second or casting vote.

6. Minutes

All minutes shall be open for inspection by a Member of the Parish Council, if appropriate.

7. Admission of the Public and Press

The Public and Press may not be admitted to these meetings as

“In accordance with s1 (2) of the Public Bodies (Admission to Meetings) Act 1960 the Press and Public be excluded from the meeting during consideration of these items due to the confidential nature of this item”.

8. Specific Delegated Powers

- To review staffing structures and levels and make recommendations to the Council.
- To agree and review annually contracts of employment, job descriptions, person specifications for staff and to review the Clerk/RFO performance.
- To review staff salaries and terms of conditions and make recommendations to Council.
- To appoint, from its membership, a recruitment panel when necessary and recommend appointments to Council. Recruitment panels will normally include two members plus the Clerk.
- To appoint members to act as a disciplinary panel as set out in the Green Book and as an appeals panel in the case of any appeal against disciplinary action.
- To appoint members to hear any formal grievance.
- To review health and safety at work for all Council employees.
- To review all Council policies that relate to staff employment on an annual basis.



- To ensure the Council complies with all legislative requirements relating to the employment of staff.

9. Review

This Terms of Reference document was approved for use at the meeting of the Parish Council on 08th May 2025, it shall be reviewed periodically, at least once per council term, nominally 4 years.

Signed:

Dated: 08th May 2025

Cllr _____, Chair of the Council



Planning Committee TERMS OF REFERENCE

1. Remit

To review all planning applications and respond on behalf of the council to planning consultations, and when considered appropriate send a representative of the Western Valley Parish Council to any relevant planning committee meetings of the planning authority.

2. Meetings

To meet once per month, nominally the 4th Thursday of the month. The Clerk may call additional meetings to discuss particularly large applications where it is not appropriate to seek an extension to respond.

The Clerk will minute all meetings of the Planning Committee and minutes will be submitted to the Parish Council at the next meeting for adoption.

The Clerk is responsible for submitting the responses to the Planning Authority. Where the Committee cannot formally meet, the Clerk is delegated to respond to consultations on behalf of the Committee. This delegation will only be used in exceptional circumstances where:

- the committee or council cannot meet,
- an extension to respond to the consultation cannot be secured, and
- where possible only after consultation with least 3 members of the council.

All responses submitted using delegated powers will be displayed on the WVPC website, and reported at the next available meeting of the Planning Committee.

3. Appointment of members

The Committee will be comprised 5 core members with a quorum of three. Members will be appointed at the Annual Council meeting. The Chair will be elected by the Planning Committee at its first meeting after the Annual Council meeting, they may also appoint a Vice-Chair. Committee membership substitutions can be made with any councillor of Western Valley Parish Council, this is to ensure where possible 5 members are present at all planning committee meetings.



4. Delegated Authority

The Committee has delegated powers to consider and respond to on behalf of the Council:

- all planning consultations
- other matters related to planning which the Council has not formally been consulted on, including those outside the parish, which the Committee believes to be important to the residents of the Civil Parish of Western.

5. Scope

To consider all planning applications.

To study relevant plans, individual Councillors to take a view as to whether to visit relevant sites to form their opinion and consider any comments from members of the parish before coming to a decision.

To endeavour to ensure that all relevant parties are given an adequate hearing if they request this in accordance with the Council's standing orders.

To endeavour to ensure that any objections or recommendations are based solely on planning criteria.

To consider environmental aspects when considering planning applications.

To monitor the general environment of the parish and report to the planning authorities any potential planning breaches.

To respond on behalf of the Parish Council to all consultations regarding planning issues or issues that will have an impact on planning. The Committee is authorised to make written representation and/or to elect a member to attend the hearings of the SODC or VoWHDC Planning Committee to make representation on behalf of the Council.

When an application is subject to appeal, the Committee is authorised to make written representation and/or to elect a member to attend the hearing to make representation on behalf of the Council.

To attend planning training sessions as offered by the planning authority and to read all relevant documentation to ensure that the Committee is aware of current legislation and regulations.

When appropriate, seek expert opinion and guidance from other parties, including other local Parish or Town Councils.



6. Review

This Terms of Reference document was reapproved for use at the meeting of the Parish Council on 08th May 2025, it shall be reviewed periodically, at least once per council term.

Signed:

Dated: 08th May 2025

Cllr , Chair of the Council