

# WINGHAM PARISH COUNCIL SCHEME OF DELEGATION

Approved at a meeting of council on Monday 11 April 2022

Wingham Parish Council's Scheme of Delegation authorises the Clerk to the Council, who is also the Proper Officer and Responsible Financial Officer (RFO), herein referred to as the Clerk, to act with delegated authority in the specific circumstances detailed below in order to enable the Council to fulfil its responsibilities to its residents.

1. In General The Clerk may:
  - i. take action on any issue of such urgency, that it cannot wait until the next normal Council meeting. If circumstances permit, the Clerk would normally be expected to consult the Chairman or Vice-Chairman if the Chairman is unavailable and take their view into account.
2. Meetings The Clerk will handle all Proper Officer duties as outlined at Standing Order 15. In addition, the Clerk may:
  - i. in collaboration with the Chairman or Vice Chairman if the Chairman is unavailable, take appropriate action to cancel, re-arrange, or provide alternate resources for virtual meetings (subject to the latest Government law & NALC guidance) to facilitate Council meetings should the need arise for any reason.
3. Financial Matters The Clerk will handle all RFO duties as outlined in the Council's Standing Orders and Financial Regulations. Notably, the Clerk may:
  - i. incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500.00. The Clerk may also approve any amount above £500, subject to discussion with and approval by the Chairman or Vice-Chairman. The Clerk shall report any such action to the Chairman as soon as possible and the Council as soon as practicable thereafter;
  - ii. take any action regarding minor repairs (up to a cost of £500.00 or any other amount above £500, subject to discussion with and approval by the Chairman or Vice-Chairman) and to report minor matters to the relevant authority;
  - iii. authorise the payment of items only if a payment is necessary to avoid a charge to interest under the Late payment of Commercial Debts (Interest) Act 1998 and the due date is before the next meeting (See Financial Regs 5.5);
  - iv. authorise an expenditure item that arises on a regular basis as the result of a continuing contract, statutory duty or obligation (such as salary, PAYE, NI, maintenance contract, etc), provided a list shall be submitted to the next meeting of Council;
  - v. arrange fund transfers as necessary within the councils banking arrangements provided that a list of such payments be submitted to the next meeting of Council.

Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Council from time to time and shall be reported to the next available Council meeting.

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#### 4. Planning Matters

As per the Planning Committee Terms of Reference, which are reviewed annually, the Clerk will:

- i. provide details of all Planning Applications received to Councillors on the Planning Committee;
- ii. where, for any reason, it is not possible for plans to be discussed at a committee meeting, members shall send their individual comments to the Clerk and where no queries arise by joint decision of all committee members, the Clerk shall be delegated to inform the Planning Department within the time allocated of the decision of the Committee and the decision shall be ratified at the next meeting of the committee or full council. All committee members will report directly back to the Clerk thereby avoiding discussion between members;
- iii. where queries arise, the Clerk will discuss these with the committee Chairman who may call for an Extraordinary Meeting to decide upon the application;
- iv. if the committee is not able to agree upon a response, the Clerk shall refer the application to the Full Council and if necessary, the Clerk shall request from the Planning Authority an extension of time in which to consider the application;
- v. The clerk is delegated to send all committee or full council planning application responses to the Planning Authority.

#### 5. Councillor Code of Conduct/Dispensation matters (See SO Item 13)

- i. As per Standing Orders, dispensation requests must be made in writing to the Clerk who will, as per the Kent Code of Conduct adopted by WPC in September 2012, either make a decision on her own (depending on the circumstance) or in collaboration with two councillors (see Kent Code of Conduct, para 8)
  - ii. The Clerk will handle Code of Conduct complaints as per Standing Order 14
6. The Council may delegate the power to make individual decisions on individual items to the Clerk as and when appropriate.

#### Delegation Limitations

All decisions taken under delegated authority will be in accordance with the Councils Standing Orders and Financial regulations and this Scheme of Delegation, and where applicable any other rules/regulations and legislation. All decisions will be reported to the first appropriate Council meeting.