



SCHEME OF DELEGATION

Approved by Full Council September 2025

Readopted September 2025, to be reviewed May 2026

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1. DISCHARGE OF THE SCHEME

- 1.1. This Scheme of Delegation forms part of the Council's governance documents along with Standing Orders, Financial Regulations and the Code of Conduct. The Scheme will be reviewed every year at the Annual Meeting of Council and if there are any significant staffing changes.
- 1.2. Those with delegated responsibility are referred to by job title e.g. Clerk.
- 1.3. One of the purposes of the document is to clearly define the parameters within which Officers of the Council are able to act without reference to Councillors. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.
- 1.4. Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.
- 1.5. The other purpose of the document is to capture the various delegated powers throughout the Council, including those delegated by the Council to its committees. This element of the scheme incorporates the Terms of Reference of the committees.

2. PRINCIPLES OF DELEGATION

- 2.1. Section 101 of the Local Government Act 1972 provides:
 - That a Council may delegate its powers (except those incapable of delegation) to a committee; or an officer.
 - A Committee may delegate its powers to an officer.
 - The delegating body may exercise Powers that have been delegated.
- 2.2. Any delegation to a Committee or an officer (Clerk or RFO) shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and with the law.
- 2.3. In an emergency the Clerk is empowered to carry out any function of the Council.
- 2.4. Where the Clerk is contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Chairman of the Council and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

3. AUTHORITY TO ACT

- 3.1. It will be appropriate for the Clerk to refer a matter to the Council where the determination of the matter is likely to be particularly controversial or raises issues of policy which it would be appropriate for Councillors to determine; or could, by its scale or complexity expose the Council to major corporate risk.
- 3.2. The Clerk and Committees have the responsibility to act within the Council's approved policies, procedures and framework and within the law in conjunction with this delegated scheme.

4. CONFLICTS OF INTEREST

- 4.1. Under the Local Government Act 1972, section 117 the Clerk or RFO must make a formal declaration about Council contracts where they have a financial interest.
- 4.2. Where the Clerk or RFO has a conflict of interest in any matter, the officer shall not participate in that matter unless approved by the Council and this is formally recorded in the Council minutes.

5. COUNCIL RESERVED POWERS

- 5.1. The following matters are only to be resolved by the Full Council:
 - Appointment of the Proper Officer/Responsible Financial Officer and any other Council officers following a recommendation from the Staffing Committee
 - To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation and other Council policies
 - To approve and adopt the Budget.
 - To set the Precept.
 - To agree and/or amend the terms of reference for committees
 - To adopt the schedule of meetings for the ensuing year.
 - To determine matters involving expenditure for which budget provision is not made or is exceeded.
 - To address recommendations from internal or external auditors.
 - To make byelaws.
 - To borrow money.
 - To annually approve the annual governance statement and the accounting statements
 - To declare eligibility for the General Power of Competence

6. DELEGATION TO COMMITTEES - SAFEGUARDS

- 6.1. The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or officer.

7. DELEGATION TO COMMITTEES

7.1. Generally

1. Committee Members and Reserve Members will be appointed at the annual meeting of the Council or, in the case of the resignation of a member(s), or newly co-opted Councillors during the Council year at an ordinary Council meeting.
2. Reserve Members may stand in for members unable to attend but must be summoned accordingly.
3. All committees should carry out all matters in accordance with the Council's standing orders and any other related policies.
4. All minutes of committee meetings will be provided to the Full Council.
5. Members of the press and public will be allowed to attend meetings and make representations in relation to advertised business items of the agenda in accordance with standing orders.

6. Members' apologies must be sent to the Clerk in writing (email is acceptable) with as much notice as possible. The apologies will then be approved and minuted at the meeting.
7. All correspondence shall be conducted through the Clerk or meeting clerk
8. Each Committee may appoint a sub-Committee or working group to facilitate the work of the Committee.
9. Each Committee may dissolve a sub-Committee or working group at any time.

7.2. Finance & General Purposes Committee

Purpose: To prepare and propose the annual Budget, provide governance by way of policy implementation, oversight of all Parish Council related financial matters, contracts, and contractors, and ensure propriety and transparency.

Membership: A minimum of four members of the Parish Council, and shall include the Chair, Vice-Chair of the Council, and Chairs of both the Open Space and Planning Committees, as elected each year at the Annual Meeting of the Full Council. Should the Vice-Chair hold Chairmanship of one of the Committees, other Parish Council members shall be appointed and will have full Committee rights when attending as members.
Non-councillors cannot be appointed to the committee.

Reserve Members: One Parish Councillor

Quorum: Three Parish Councillors

Meetings: A minimum of four times per civic year

Chair: The current Chair of the Council will preside over meetings. If the Chair is not present, the Vice-Chair will act as Chair

Officer Support: The Clerk or other officer as appropriate.

Terms of Reference:

The Finance & General Purposes Committee will be responsible for the following:

- considering annually the Council's following financial year's budget and recommendation for approval at Full Council.
considering any staff matters, not covered by the Staffing Committee.
- Considering all policy and procedural related matters and formulating recommendations to Full Council.
- considering any legal documentation, including leases, licences, and solicitor communications.
- considering any Council related complaints and enquiries, including Freedom of Information Requests and Subject Access Requests
- considering any financially related administrative matters.
- considering and make recommendation to Full Council on any expenditure outside of budget allocation above the committee's delegated authority level of up to £5,000 (excluding VAT), as per the Council's financial regulations.

7.3. Open Spaces Committee

Purpose: To effectively protect, manage, maintain, and improve the designated open spaces, sports, and recreational facilities on behalf of the council.

Membership: At least four Parish Councillors
Non-councillors may be appointed to the committee but do not have a vote on any financial recommendations but will be able to speak during debate.

Reserve Members: One Parish Councillor

Quorum: Three Parish Councillors

Meetings: A minimum of four times per civic year

Chair: The Committee will elect its Chair and Vice-Chair annually at its first meeting following the annual meeting of council. **Officer Support:** The Clerk or other officer as appropriate.

Terms of Reference:

The Open Spaces Committee will be responsible for the following:

- keeping under review the provision of open spaces, sports, and recreational facilities for the residents of Four Marks.
- ensuring that all recreational equipment is well maintained and meets British Safety Standards; inspected on a regular basis and annually by a RoSPA appointed Inspector; and Improved or renewed when required to meet local needs
- ensuring that grounds maintenance is carried out appropriately to regularly maintain the grounds and plant life within all the Council owned open spaces.
- liaising with all sports and recreational clubs using the Council's facilities.
- arranging for tree inspections to be carried out as deemed necessary and act upon recommendations contained therein.
- continuing to monitor the open spaces for consideration for environmental improvements and put forward proposals for improvements to Council in line with the Council's climate change policy.
- making decisions on behalf of the Council regarding open space management and improvements outside the budget allocation, with a financial delegated authority level of up to £5,000 (excluding VAT), as per the Council's financial regulations. considering and make recommendation to Full Council on any expenditure outside of budget allocation above the Committee's delegated authority level of £5,000 (excluding VAT).
- leading on and approving quotations/tenders for all aspects of maintenance and ground works in accordance with the Council's financial regulations.
- reviewing and recommending byelaws for the Council's open space facilities.
- working in partnership with appropriate funding bodies to improve the Council's facilities.
- working in partnership with the police to alleviate anti-social behaviour and vandalism in the Council's open spaces, sports, and recreational facilities.

7.4. Staffing Committee

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| Purpose: | To be responsible for the employment and welfare of all employees; ensuring the Council complies with employment law and follows best practice when employing staff. Members of the Committee should be aware of the legal framework for, and good practice in, employment matters. . |
| Membership: | Three Parish Councillors |
| Quorum: | Three Parish Councillors |
| Meetings: | Annually in February as a minimum |
| Chair: | The Committee will elect its Chair and Vice-Chair annually at its first meeting following the annual meeting of council. |
| Officer Support: | The Clerk |

Terms of Reference:

The Staffing Committee will be responsible for the following:

- line management of the Clerk (the Clerk is responsible for the line management of other employees).
- managing all elements of recruitment to the post of Clerk, Responsible Financial Officer, Deputy Clerk and Locum Clerks. Recruitment of other posts will be managed by the Clerk. The Committee will be responsible for advertising the vacancy, short listing applicants, conducting interviews, and recommending the successful applicant's appointment to Full Council.
- overseeing new employment contracts and changes to existing staff contracts.
- establishing and keeping under review the staffing structure and establishment.
- reviewing pay scales and benefits for all staff and making recommendations to Full Council.
- ensuring that statutory and legal duties and obligations are met.
- auditing pension and salary payments and arrangements.
- ensuring that appraisals for all staff are carried out at least annually and are mutually agreed, documented and a summary is presented to Council with any recommendations and to ensure that any associated actions and outcomes from the appraisals are suitably monitored.
- reviewing and implementing all employment policies in consultation with members of staff and to keep under review staff working conditions, and check that staff are following Council policies and procedures.
- reviewing job descriptions and person specifications periodically.
identifying training requirements and opportunities and ensure that training needs are met.
- monitoring and addressing regular or sustained staff absence.
- managing any potential or actual grievance or disciplinary matters and matters relating to staff conduct and performance.
- reviewing attendance and any short or long-term sickness.
- authorising spend from a relevant budget of up to £1000 or consider and make recommendation to Full Council of any expenditure outside the budget allocation, as per the Council's financial regulations.

7.5. Planning Committee

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| Purpose: | To review and conclude planning matters on behalf of the Council. |
| Membership: | Minimum of four Parish Councillors Before/on joining the Committee, it is advisable for members to attend a planning training course |
| Quorum: | Three Parish Councillors |
| Meetings: | A minimum of four times per civic year |
| Chair: | The Committee will elect its Chair and Vice-Chair annually at its first meeting following the annual meeting of council. |
| Officer Support: | The Clerk or other officer as appropriate |

Terms of Reference:

The Planning Committee will be responsible for the following:

- considering all planning applications pertaining to the parish and to provide a response to East Hampshire District Council
- electing a member to attend any meeting of the planning authority to represent the Council's view of an application.
- seeking advice from a local tree warden in relation to any tree applications.
- dealing with other planning related matters, such as responding to consultations, and approve requests for developer presentations, on behalf of the Council.
- appointing a sub-Committee or working group to facilitate the work of the Committee.
- dissolving a sub-Committee or working group at any time

Additionally: Where the deadline for a response to a planning application falls outside of the dates for the next scheduled meeting, the clerk will request an extension to the deadline for a response.

Any applications that cannot be considered due to their closing dates, or because an extension request has been declined, or deemed to be potentially contentious should be considered at the next Full Council meeting or at an extraordinary planning Committee meeting. Councillors may carry out a site visit relating to an application, but no less than two members should attend together. Their findings should be presented to the remainder of the Committee for consideration.

7.6. Community Facilities Committee

Purpose: To manage the provision of new community facilities from planning to completion and handover on behalf of the Council.

Membership: A minimum of three Parish Councillors

Quorum: Three Parish Councillors

Meetings: Annually as a minimum

Chair: The Committee will elect its Chair and Vice-Chair annually at its first meeting following the annual meeting of council.

Officer Support: The Clerk or other officer as appropriate

Terms of Reference:

The Community Facilities Committee will be responsible for the following:

- considering and making recommendations from any associated working group for proposal to Full Council, as appropriate.
- making decisions on behalf of the Council with reference to the design and build of the new facility with a financial delegated authority level of up to £10 000 excluding VAT as per the Council's financial regulations.
- considering and making recommendations to Full Council on any expenditure above the committee's delegated authority level of £10 000 excluding VAT with reference to the design and building of the new facility, as per the Council's financial regulations.

8. DELEGATION TO OFFICERS

8.1. Clerk

1. The Clerk is designated and authorised to act as the 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.
2. In the case of an emergency, the Clerk shall have the power to take reasonable steps to secure the Council's assets or position, following consultation with the Chair of Council (if practicable in the circumstances).
3. The Clerk will have the authority to dispose of the Council's assets (excluding land and building assets) subject to the estimated value of any one tangible; moveable item does not exceed £500. The Clerk is responsible for ensuring any disposal details including the disposal values are recorded in the assets register.
4. Power to authorise relevant training courses provided the expense can be met from approved budgets having taken into account the training needs of the employees.
5. The Clerk is the manager for all staff employed by the Council and is given delegated powers to manage the Council's staff in accordance with the Council's policies, procedures and budget
6. The authority to sanction and authorise payment of overtime so long as the costs can be contained within the parameters of the approved budget. The Clerk shall have the authority to engage casual workers subject to budget and the Clerk shall consult with the Staffing Committee members when such work is to be sanctioned.
7. Power to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the Full Council
8. As Proper Officer, to sign all documents on behalf of the Council including the Summons to Elected Members to attend Council Meetings in accordance with paragraph 4 and Schedule 12 of the Local Government Act, 1972
9. To sign and publish the annual public notice that the Audit of Accounts is to take place and has taken place (in the Clerk's absence this may be done by the RFO).
10. To receive members' acceptance of declarations of interest and their appointment as a Councillor.
11. Power to release press statements on any activities of the Council subject to prior consultation with the Chairman
12. Power to act on own initiative to implement the Council's policies and objectives.
13. Power to take appropriate steps to ensure the Council does not exceed its powers.
14. Power to manage all the Council's facilities and resources in accordance with the Council's policies.

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15. In liaison with and after conferring with the Chairman, to make such Civic arrangements as are necessary.
16. The Proper Officer shall have authority to issue written authorisation to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties.
17. The Proper Officer shall be responsible for signing all the Council's Official Notices as set out in the Standing Orders.
18. Within an agreed budget the Proper Officer/Responsible Financial Officer may incur expenditure on revenue items on behalf of the Council in accordance with Financial Regulation 5.15.
19. Authority to authorise payments in accordance with Financial Regulation 6.9
20. The Clerk, in consultation with the Chair of Planning Committee (or, in the absence of a Planning Committee, the Chair of Council), to make comment on planning applications submitted to Four Marks Parish Council by East Hampshire District Council within the statutory 21-day consultation period.

8.2. Responsible Financial Officer

21. The Responsible Financial Officer will be responsible for all financial records of the Council and the careful administration of its finances and accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and with the policies and procedures set by the Council and within the law.
22. The Responsible Financial Officer will have the power to release any financial related report or document to the Council in discharge of the Responsible Financial Officer responsibilities.
23. The Responsible Financial Officer shall ensure the approved precept request is issued to East Hampshire District Council (the billing authority).
24. The Responsible Financial Officer shall sign the annual statement of accounts (AGAR section 2) before presenting them to the Council for approval
25. The Responsible Financial Officer shall have authority to authorise payments in accordance with Financial Regulation 6.9