

**Appendix A to NEWTON POPPLEFORD AND  
HARPFORD PARISH COUNCIL -  
FINANCIAL REGULATIONS**

# **Delegation Policy**

**Relating to the Proceedings & Business of the Parish Council**

**Adopted: Date 24.05.2021. Minute entry AM21/17b)**

# Scheme of Delegation / Terms of Reference

## Introduction

- a) Newton Poppleford and Harpford Parish Council has 11 members and meets on a monthly basis with the exception of August. ie. the 'Ordinary Meeting'. Additional meetings are convened as necessary eg. 'Planning / Finance'.
- b) The Ordinary meeting deals with Business relating to the Parish council, planning applications and financial / accounting matters.

The following pages set out the manner in which Newton Poppleford and Harpford Parish Council has delegated its powers. Understanding of this is essential for anyone who wishes to know who is legally able to give a decision on any matter. This document is one of the three major ways in which the Council regulates its affairs; the others are its Standing Orders and Financial Regulations.

The intention of the delegation scheme is, therefore, that the Council should act with all reasonable speed. Decisions should be taken at the most suitable level. Thus, officers are given certain powers over the day to day administration of the Council. Matters of policy should be RECOMMENDED to the full Council.

Whilst delegation is necessary for the businesslike conduct of the Council's affairs, it is worth emphasising that the Council's policy has always been that members, and indeed the press and public, should have the fullest information. Thus, officers report all decisions taken under delegated powers to Council, the agenda of which are sent to all members.

Should members wish to raise any question concerning the exercise of delegated or other powers, then they should contact the Chair or the Clerk, and if necessary the matter can be raised subsequently at the next ordinary meeting of the Parish Council.

## Delegated Powers

- a) All decisions as discussed at the Ordinary Meeting will be recorded as "**APPROVED**".
- b) All planning applications will be discussed by the Parish Council at their Ordinary meeting or at an alternatively convened Planning Meeting.
- c) Members will be notified of each planning application as received from East Devon District Council (EDDC) but it will be their individual responsibility to consider the details of each by accessing such on line, or by reviewing paper copies of the application as supplied by the Proper Officer.
- d) The Parish Council will have due regard to the Planning Framework and all material considerations when making appropriate comments and recommendations to the Local Planning Authority (LPA)
- e) The Council shall make such observations and comments as it sees fit to the (LPA) in respect of planning development control enforcement matters in the parish.
- f) In exceptional circumstances, minor applications can be dealt with by the Proper Officer emailing / informing members of details of the application and seeking their comments for referral back to the Planning Authority. It is preferable, however, that members meet to discuss applications at a properly convened public meeting.

In more major applications where the members are unable to meet prior to the deadline for Consultee comments, the Clerk will seek an extension in the time for response from the LPA. If this is not granted, then an extraordinary meeting of the Parish Council will be called.

## **Responsibilities delegated to the Clerk / Proper Officer / RFO**

### ***Proper Officer***

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.

### ***General Matters***

The Parish Clerk is authorised:-

- a) to sign on behalf of the Council any document necessary to give effect to any decision of the Council, to take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council
- b) to institute and appear in any legal proceedings authorised by the Council,
- c) to appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the residents of Newton Poppleford and Harpford).
- d) To oversee the management of open spaces and amenity areas within the parish of Newton Poppleford and Harpford, together with cemeteries and allotments.
- e) To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000.

### ***Financial Matters***

The Parish Clerk is authorised as follows:-

- a) To incur expenditure up to a maximum of £500 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 Standing Orders as adopted.
- b) To accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:-
  - the cost not exceeding the amount of the approved estimate;
  - the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation;
  - All the requirements of the Council's Financial Regulations being complied with.

### ***Urgency***

- a) The Parish Clerk is authorised to act on behalf of the Council in cases of urgency or emergency, on the implicit understanding that;
- b) Any such action is to be reported to the next meeting of the Council
- c) The Chair and / or Vice Chairs are to be consulted before such action is taken.