



SUNNINGDALE PARISH COUNCIL

SCHEME OF DELEGATION

Version 1 April 2025

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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 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 the Clerk 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 must make a formal declaration about council contracts where they have a financial interest.
- 4.2 Where the Clerk 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 HR 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

Furthermore

- Unless specifically delegated then a matter remains with Full Council. This includes, but is not limited to:
 - o Approval of the Council's Business Plan and any amendments to it.
 - o Approval of CIL Projects
 - o Approval of Regulation 14 and Regulation 16 drafts of the Neighbourhood Plan and any amendments to the extant plan

6 DELEGATIONS 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 DELEGATIONS TO STANDING COMMITTEES

7.1 Finance Committee

Purpose: To oversee the annual budget process and to liaise and advise other Committees with the setting of their budgets and to be responsible for proposing short-term and long-term objectives for the Council for Full Council to approve.

Membership: Up to six Parish Councillors

Quorum: Three Parish Councillors

Meetings: A minimum of four times per civic year

Officer Support: The Clerk or other officer as appropriate.

Terms of Reference:

The Finance Committee will be responsible for the following:

- 1) Ensuring that financial procedures are being carried out in accordance with Financial Regulations;
- 2) Appointing a member (not a bank signatory) to verify bank reconciliations in accordance with Financial Regulation 2.6;
- 3) Working with, supporting, and co-operating with officers in their duties to comply with financial processes and to prepare any financial documentation on behalf of Full Council;
- 4) Ensuring that the Council's agreed spending objectives are met and regularly monitored against the Council's Budget and reserves position. Material variances should be reported to Full Council;
- 5) Considering loan and grant (including CIL) applications and making recommendations to Full Council;
- 6) Authorising small grants up to and equal to £500;
- 7) Reviewing and amending the Risk Register (quarterly) to identify, assess and evaluate risks including financial and H&S. Alerting Full Council to material changes and take appropriate action when necessary;
- 8) Producing, amending and annual review of Finance Committee Terms of Reference, Financial Regulations, and all finance related council policies each April in preparation for approval by Full Council in May. Currently:
 - Scheme of Delegation
 - CIL and Grants Policy
 - Financial Reserves Policy
 - Investment Policy
- 9) Considering any financial risks on behalf of the Full Council and recommending actions arising from any risks identified;
- 10) Preparing an annual budget in order to meet the council's objectives for recommendation to Full Council;
- 11) Recommending a precept to Full Council;
- 12) Ensuring the reserves are managed;

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- 13) Overseeing all legal matters pertaining to leases, mortgages, insurance claims, easements, tenancies, contracts, loans, damage to property, vehicle insurance, debt recovery, and any other similar constructs and make recommendations to Full Council;
- 14) Verifying that the Council is adequately insured and reviewing insurance annually;
- 15) Setting the Chairman's allowance and Councillors' expenses and recommending to Full Council accordingly;
- 16) Seeking grant aid and appropriate financial support including S106 and CIL to meet the responsibilities of the Full Council. And recommending any CIL expenditure in accordance with the guidelines;
- 17) Making recommendation to Full Council on banking matters, short- and long-term investments, borrowings and Loan Sanction Applications for capital projects;
- 18) Verifying, as and when appropriate, that all loans and grants have been used by claimants for the purpose as described in the applications. If, in the opinion of the Committee, the funds have not been used appropriately a recommendation will be made to Full Council that the monies are recalled.
- 19) Making recommendations to Full Council on appropriate financial training needs for Council members and staff;
- 20) Producing an annual financial report for the Annual Parish Meeting, and ensure the completion of the Annual Governance and Accountability Return covering Year End until 31 March each year; and
- 21) Reviewing and considering any Internal and External auditors' reports and arranging for implementation of any recommendations
- 22) Receiving schedules of payments and authorising payments in accordance with the requirement of Financial Regulation 6.

7.2 Facilities & Services Committee

Purpose: To oversee the provision, maintenance and enhance of all the Councils services and facilities including the recreation ground, play area, tennis courts, allotments, cemeteries to ensure they are functional, attractive, well maintained and meet ROSPA safety requirements

Membership: Up to six Parish Councillors

Quorum: Three Parish Councillors

Meetings: A minimum of four times per civic year

Officer Support: The Clerk or other officer as appropriate

Terms of reference:

The Facilities and Services Committee will be responsible for the following:

- 1) Managing and maintaining the cemeteries at Kiln Lane and Holy Trinity Church
- 2) Providing and maintaining the Councils shelters, seats, noticeboards, litter bins and dog waste bins
- 3) Considering and determining any new contracts and any renewals of contracts under the jurisdiction of this committee.
- 4) Reviewing and revising budgets for all Facilities and Services income and expenditure for the following year and submitting to full council, via the Finance Committee in line with the budget programme.

- 5) Setting the level of charges for facilities in respect of all the services of the Committee.
- 6) Reviewing, annually, the Council's inventory of land and assets including buildings.
- 7) Monitoring all matters relating to leases and byelaws in connection with the facilities under the control of the Committee
- 8) Managing the Council's woodland to enhance nature, sustainability, biodiversity, and conservation and overseeing the management of council owned trees including provision of the Tree Safety Inspection Programme.
- 9) Promoting safe walking and cycling routes.
- 10) Overseeing the management of Health & Safety policy and risk assessments and routine inspections to ensure safe practices are followed and tasks identified.
- 11) Verifying that agreed service levels are met by contractors.
- 12) Verifying that contractors working in public spaces have appropriate insurance and have undertaken risk assessments and health and safety checks. Providing specifications and contract conditions for all contracted services and projects.
- 13) Verifying that equipment is inspected as required by the council's insurance policy.
- 14) Monitoring burial and allotment usage and propose projects to enhance these services.
- 15) Promoting the use of services and liaise with stake holders.
- 16) Verifying that council provides a consistent and high-quality service to all users.
- 17) Authorising individual purchases up to £5,000 within its agreed operating budgets (as above) in accordance with Financial Regulation 5.15

7.3 Human Resources (HR) Committee

Purpose: To be responsible for the Council's policies and procedures related to its employed staff, contracted staff, and volunteers and to make recommendations to Full Council about all human resources matters.

Membership: Up to five Parish Councillors

Quorum: Three Parish Councillors

Meetings: A minimum of four times per civic year

Officer Support: The Clerk

Terms of Reference:

The Human Resources Committee will be responsible for the following:

- 1) Establishing and regularly reviewing the staffing structure to best meet the Council's responsibilities & workload.
- 2) Keeping under review the Clerk's Job description and ensure it reflects the requirement of the role.
- 3) Reviewing salary pay scales for all staff and recommending any changes to Full Council.
- 4) Reviewing annually the budget for salaries and wages (Financial Regulation 4.2)
- 5) Reviewing performance management (annual appraisals) and staff training programmes with the Clerk.
- 6) Overseeing the recruitment process and appointment of staff and volunteers.
- 7) Overseeing the process for co-opting new Councillors to vacancies on the Council.
- 8) Reviewing staff working conditions including health, safety and wellbeing at work.

- 9) Considering any appeal against any decision in respect of pay – including overtime.
- 10) Supporting & performance managing the Clerk's work; administering that officer's leave requests and recording and monitoring their absences and authorising their overtime.
- 11) Reviewing and making recommendations to the Council on employment contracts.
- 12) Drafting policies relating to staff employment and making recommendations thereon to Full Council. Monitoring, reviewing and recommending revisions of those policies annually or as required.
- 13) Ensuring the Council complies with all legislative requirements relating to the employment of staff.
- 14) Offering an initial point of contact for the Clerk and Councillors and a point of escalation for other officers to raise questions/concerns relating to staffing levels, performance, pay and contracts.
- 15) Offering an initial point of contact for the Clerk and Councillors to raise questions/concerns relating to the recruitment, supervision and activities of volunteers.
- 16) Appointing panels to investigate grievance or disciplinary matters (excluding appeals) and making recommendations to Full Council. Each panel to consist of a minimum of three councillors not connected to the grievance or disciplinary matter
- 17) Appointing panels to consider appeals related to grievance or disciplinary matters and making recommendations to Full Council. Each panel to consist of a minimum of three individuals not members of the original panel nor connected to the grievance or disciplinary matter - these individuals need not be members of the Parish Council

7.4 Planning Committee

Purpose: To monitor planning policy developments and planning applications and make appropriate representations

Membership: Up to Nine Parish Councillors

Quorum: Three Parish Councillors

Meetings: Every 28 days

Officer Support: The Deputy Clerk

Terms of Reference

The Planning Committee will be responsible for the following:

- 1) Considering every planning application related to this Parish and making representations to the Borough on any application referred to the Parish Council
- 2) Making representations at Development Control Panel and at appeal hearings on applications which affect the Parish.
- 3) Considering any planning application in the neighbouring parishes which impacts on this Parish.
- 4) Considering any development (local) plan or strategy proposals under planning legislation affecting the Parish.
- 5) Upholding the principles of the Neighbourhood Plan and be party to any future update to that Neighbourhood Plan.
- 6) Considering any future development that impacts on the Parish and considering the infrastructure implications of such developments.

8 DELEGATIONS 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 considered 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 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 HR 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.
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.
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, to make comment on planning applications submitted to Sunningdale Parish Council by The Royal Borough of Windsor and Maidenhead within the statutory 21-day consultation period.

8.2 Responsible Financial Officer

21. The Clerk is designated and authorised to act as the Responsible Financial Officer in accordance with Section 151 of the Local Government Act 1972 and all other statutes and regulations requiring the designation of a Responsible Financial Officer.
22. 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.
23. 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.
24. The Responsible Financial Officer shall ensure the approved precept request is issued to The Royal Borough of Windsor & Maidenhead (the billing authority).
25. The Responsible Financial Officer shall have authority to authorise payments in accordance with Financial Regulation 6.9

9. Working Groups

Any Committee of the Council may establish a Working Group (or task and finish group). The terms of reference and deliverables of the Working Group will be established by the sponsoring Committee. Working Groups will operate in accordance with the Standing Orders 30.

Membership of working groups will include interested Councillors, a nominated officer and may also include members of the public,

9.1 Current Working Groups

9.1.1 Cemetery Working Group

Reporting to: Facilities and Services Committee

Responsibilities:

- To review the council's cemetery regulations
- To review selected memorial applications

9.1.2 Business Plan Engagement Strategy Working Group

Reporting to: Full Council

Responsibilities:

- To plan and supervise community engagement about the Business Plan
- To make recommendations to Full Council

9.1.3 Cycling and Walking

• **Reporting to:** Facilities and Services Committee

Responsibilities:

- To actively monitor the provision of Footpaths and Cycle paths in Sunningdale and make recommendations of improvements or new paths which would benefit the Village.
- To work with Sunninghill and Ascot Parish Council on joint plans for green infrastructure
- To liaise with RBWM on the LCWIP over the 10-year RBWM project lifecycle
- Liaise with RBWM Public Rights of Way Officer, to agree the annual maintenance requirements and allocation of budget.

- To review the provision of cycle paths in conjunction with national bodies and potential funding opportunities to improve the network.
- To review and update where appropriate the information available on the parish website for the location of footpaths, cycle paths and walks.

9.1.4 Recreation Ground Working Group

Reporting to: Full Council

Responsibilities:

- Assess the feasibility, cost/benefit and indicative cost of the following improvements to the Recreation Ground: better drainage, more parking, larger cafe, padel tennis court(s), adult fitness facilities, Splash Pad and permanent area for dog walkers next to cafe.
- Create a blueprint for the Recreation Ground which accommodates those priorities
- Oversee the Woodland Walk project and bring next steps back to Full Council

9.1.5 Tennis Working Group

Reporting to: Facilities and Services Committee

Responsibilities:

- Investigate why tennis income has not reached budget since refurbishment
- Consult with users and coaches to recommend changes which can increase court utilisation
- Ensure the tennis courts are a safe place to play, ensuring our current maintenance schedule is meeting health and safety requirements

9.1.6 Events Working Group

Reporting to: Full Council

Responsibilities:

- To develop an Events Policy and a programme of Events for 2025

10. Focus Areas (to be reviewed annually)

A Focus Area requires a more focussed and detailed approach, and managed as follows:

- Assigned to an Individual ('Lead Member') who may be a member or an officer of the council.
- The Lead Member may, optionally, work with other individuals to fulfil the activities required.
- A Focus Area can only be set-up (and disbanded) by a committee. The Committee will define the terms of reference of the Focus Area, and the scope of their activities.

Notes

- A Lead Member normally reports to a committee but may, exceptionally, report to the Clerk's Office or the Chairman. The Lead member is responsible for managing the activities and harnessing resources to deliver the required outcomes.
- A Focus Area can only provide advice and information to the Council or a Committee. Any recommendations will be brought forward for approval to Full Council or to a committee if that Committee has appropriate delegated powers

Current Focus Areas

10.1 Allotments

Reporting to: Facilities and Services Committee

Responsibilities:

- To represent council to ensure safe, maintained, and desirable allotments are retained in Sunningdale.
- To represent council to liaise with the day-to-day management of the allotments with the Clerk
- To represent council to monitor the allotment lease holders against the rules and regulations of their lease by conducting with the Clerk's Office team member quarterly inspections of the allotments.
- To attend 3 separate judging sessions from May to August at the Allotments as organised by the Clerk's Office team member to confirm the annual winners of the William Pack Cup
- To represent council and host the Allotment Tea in early September along with the Chairman of the Council and award the William Pack Cup prizes.
- To annually review with the Clerk's Office team member the regulations for the allotments and suggest changes where appropriate.

10.2 Cemeteries

Reporting to: Facilities and Services Committee

Responsibilities:

- To provide the Clerk, as the Cemetery Authority representative and the Assistant to the Clerk, as the day-to-day manager of the Cemetery with support when additional cemetery requests are made that are not provided for in the standard terms.
- To review the infrastructure and ongoing maintenance of the cemetery and make recommendations in conjunction with the Clerk's Office for future works.
- To actively review the annual regulations and charging schedules in conjunction with any legislative changes and working with the Clerk's Office team member, make recommendations for changes.
- To represent Council if required in meeting with bereaved family members in relation to cemetery queries.
- To monitor the use and requirement for extension of the cemetery and potential of the option for a future purchase of a new cemetery

Appointed representatives to external organisations:

Charters School – Cllr Evans

Holy Trinity School – Cllr Buxton

Responsibilities:

- To act as a point of contact for each organisation with the Council
 - To promote 2-way communication and engagement with those organisations