



*The Council of the
Parish of Esh*

Esh Parish Council

Delegation Scheme

Relating to the Proceedings & Business of the Council

Scheme of Delegation/ Terms of Reference

1 Introduction

- a) Esh Parish Council has 16 member seats and meets on a monthly basis – ‘Monthly Meeting’ except for the Month of August when Council has annual recess. As of April 2019, we have 8 members and 8 casual vacancies.
- b) The monthly meeting deals with all Planning Applications and Finance and Accounts.

2 Delegated Powers

- a) All decisions as discussed at the Monthly Meeting will be recorded as “**RESOLVED**”.
- b) All planning applications will be discussed by the full Council at their monthly meeting.
- c) Members will be notified of each planning application as received by DCC but it will be their individual responsibility to consider the details of each by accessing such on-line
- 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.
- e) The Council shall make such observations and comments as it sees fit to the Local Planning Authority in respect of planning development control enforcement matters in the town.
- f) In exceptional circumstance i.e. during the August recess minor applications such as extensions, garages etc. shall be dealt with but the Clerk e mailing / informing members of details of the application and seeking their comments for referral back to the Planning Authority.
- g) In more major applications the Clerk will seek an extension in the time for response from the planning authority and if this is not granted then a special meeting of the parish council will be called.

3 Responsibilities Delegated To the Parish Clerk

3.1 Proper Officer

The Parish Clerk is designated and authorized 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.

3.2 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 authorized 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 Esh.
- d) the management of open spaces and amenity areas,
- e) To act as the Council’s designated officer for the purposes of the Freedom of Information Act 2000.

3.3 Financial Matters

The Parish Clerk is authorized as follows:-

- a) To incur expenditure up to a maximum of £300 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 Constitution.
- 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.
- c) To compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
- d) To invest monies held by the Council in accordance with the Council's Investment Policy.

3.4 Urgency

- a) The Parish Clerk is authorized to act on behalf of the Council in cases of urgency or emergency.
- b) Any such action is to be reported to the next meeting of the Council
- c) The Chairman and Vice Chairman are to be consulted before such action is taken, if this is not possible then as soon as practicable.