



SCHEME OF DELEGATION

Terms of Reference

Adopted on 10th November 2025

1. INTRODUCTION

- 1.1 The powers and duties set out in this scheme are delegated to the Clerk. The Clerk is the Proper Officer and Responsible Finance Officer (RFO) and is responsible for the management of the organisation.
- 1.2 The Responsible Financial Officer (RFO) is responsible for the Council's accounting procedures together with the proper and transparent administration of its finances, in line with current Account and Audit Regulations.
- 1.3 The Local Government Act 1972, s101, (with some exceptions) allows the Council to delegate functions to Committees, Sub-Committees, Officers or other authorities.

2. COUNCIL FUNCTIONS

- 2.2 Specific duties and powers reserved to the Full Council
 - a. Duty to sign declaration of acceptance of office (Councillors and Chair)
 - b. Duty to appoint a Responsible Financial Officer to manage the council's accounts
 - c. Power to arrange for the discharge of functions by another local authority
 - d. Duty to hold annual parish council meeting
 - e. Duty to hold annual parish assembly meeting
 - f. Power to convene a parish assembly meeting
- 2.3 Finance Group, Budget and constitution
 - a. To approve an annual budget, reflecting priorities identified through operational review.
 - b. To approve the annual budget precept.
 - c. To approve the financial management framework, financial procedures and controls, including audit, across all its services.
 - d. To approve annual objectives, targets and performance indicators.
 - e. To approve Financial Regulations and ensure their annual review.
 - f. To approve the staffing structure.
 - g. To approve a performance management policy and pay policy ensuring that these meet nationally agreed terms of pay and conditions.
 - h. To approve the use and development of land and premises, including any shared or off-site facilities, including security.
 - i. To approve the Risk Assessment and Financial Management document

(annually).

- j. To approve Standing Orders and ensure their annual review.
- k. To approve capital projects and developments across all services.
- l. To approve any policy affecting the conduct of the Council, its services and its staff.
- m. To approve changes to the Council's Constitution, including any recommendation from a committee to establish any sub-committee.

3 EXTENT OF DELEGATION

- 3.1 All delegated functions shall be deemed to be exercised on behalf of and in the name of the Parish Council.
- 3.2 The Clerk will exercise these powers in accordance with:
 - approved budgets
 - the Council's Standing Orders
 - the Council's Financial Regulations
 - the Council's Policy Framework and other adopted policies of the Council
 - all statutory common law and contractual requirements
- 3.3 The Clerk may do anything pursuant to the delegated power or duty, which it would be lawful for the Council to do, including anything reasonably implied or incidental to that power or duty.
- 3.4 There may be matters which are delegated to working groups or panels. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and approved policy framework and may only be exercised where sufficient budgetary provision exists or can be vired from within the approved budget of the working party concerned.
- 3.5 Where a sub-committee or working group or panel in lieu of exercising its delegation refers a matter to its parent committee the delegation is exercisable by the committee. Nevertheless, the committee may decide not to exercise this delegated power and may instead make a recommendation to the Council.

4 FINANCIAL MATTERS

The Clerk who is also the RFO, will oversee the financial management of the Council. The Clerk/ RFO is authorised to:

- 4.1 Act as the Responsible Financial Officer for the purposes of s 151 of the Local Government Act 1972.
- 4.2 Operate the Council's banking arrangements including arranging overdrafts.
- 4.3 Incur expenditure on agreed limits 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 and Financial Regulations.
- 4.4 Pay all accounts properly incurred.
- 4.5 Pay all subscriptions to organisations to which the Council belongs.
- 4.6 Make all necessary arrangements for the provision of an internal and external audit service for the Council.

- 4.7 Negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate.
- 4.8 Incur expenditure on revenue items within the approved estimates and budgets under their control.
- 4.9 Incur expenditure on capital schemes within the Council's approved budget.
- 4.10 Accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
 - a. the cost not exceeding the amount approved estimate
 - b. the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation
 - c. all the requirements of the Council's Financial Regulations being complied with.
- 4.11 Carry out virement of sums between cost centres in accordance with the Council's Financial Regulations.
- 4.12 Manage investments as appropriate and obtain such other sources of credit as are required in accordance with the Financial Regulations.
- 4.13 Authorise action for the recovery of debts and write-off debts up to the level set by the Council.
- 4.14 Maintain a Register of Assets and Inventory of Equipment.
- 4.15 Determine the Parish Council's insurance requirements on the Council's behalf.
- 4.16 Make all necessary arrangements for the Council's insurances.
- 4.17 Determine Community Grant applications subject to approval by Full Council.
- 4.18 Prepare a draft budget in conjunction with Chairman and Vice-Chairman and to make recommendations for consideration and approval by Full Council.
- 4.19 Prepare the final accounts for each financial year.

5 DELEGATIONS TO A COMMITTEE OR A WORKING PARTY

- 5.1 Certain matters may be delegated to Working Groups. These must be exercised in accordance with the law, the Council's Standing Orders, Financial Regulations and its approved policy framework.
- 5.2 Such delegations may only be exercised where sufficient budgetary provision exists or can be viewed from within the approved budget of the working party concerned.
- 5.3 Where a Sub-Committee/Working Group/Panel, in lieu of exercising its delegation, refers a matter to its parent Committee, the delegation is exercisable by that Committee. Nevertheless, the Committee may decide not to exercise this delegated power and may instead make a recommendation to Full Council for approval.

6 EMERGENCY DELEGATIONS

The Clerk is authorised to:

- 6.1 Act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council.
- 6.2 The Council Chairman and Vice-Chairman are to be consulted where possible before such action is taken.

- 6.3 The emergency delegations are subject to them being implemented in accordance with the law, the Council's Standing Orders and Financial Regulations, within the accepted policy framework and where budgetary provision exists or is otherwise authorised in accordance with its adopted Financial Regulations.

8. URGENT PLANNING MATTERS

- 8.1 Newdigate Parish Council is consulted on Planning Applications within Newdigate after they have been registered with the planning authority, Mole Valley District Council, at the pre-determination stage.
- 8.2 The time allowed in determining the application and making a final decision is governed by the District Council.
- 8.3 When time-related planning matters arise, including planning applications and other consultations, the Parish Council is not making a decision but conveying its views and observations on planning applications for Newdigate and making recommendations to Mole Valley District Council and / or Surrey County Council or neighbouring principal authorities.
- 8.4 As an expedient, in times of emergency the Council agrees to have a Planning Group with the Clerk making the Council's views known in consultation with the Chairman, Vice Chairman or at least one other Councillor. This includes: -
- Planning applications
 - Highways matters & issues
 - Public transport
 - Any other relevant consultations to Newdigate for which the Parish Council is a stakeholder
- 8.5 The Planning Committee is authorised to comment on all time-related applications with the decisions conveyed to the relevant local authority or organisation within the consultation deadline and such comments will be ratified at the next Council meeting.