

Scheme of Delegation

Adopted: 20/05/2026
Minute Reference: 008 iv



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Introduction

Lancing Parish Council's Scheme of Delegation is an essential policy to enable the Council to function efficiently and effectively. Without this every decision would need to be made by Full Council.

Decision making powers are given to the Proper Officer (Clerk/RFO) and Committees.

Powers cannot be delegated to working parties or individual councillors. (LGA 1972, section 101)

This policy should be read in conjunction with Standing Orders, Financial Regulations, Committee Terms of Reference and the Code of Conduct

Full Council

The following matters are dealt with by Full Council

- Approval of the budget and setting the precept
- Approval of the Annual Return and Audit of Accounts
- Authorisation to borrow
- Making of Orders under any statutory powers
- Making, amending or revoking by-laws
- Election of a Chair
- Election of a Vice-Chair
- Appointment of Committees
- Appointing Council Representatives to outside bodies
- Recruitment of the Clerk and RFO
- Matters relating to the Councils Code of Conduct
- Approval of the calendar of meetings
- Matters relating to use and eligibility of the General Power of Competence
- Confirmation that the criteria for Local Council Award Scheme Accreditation has been met
- To approve capital projects
- To approve expenditure over £10,000
- Creation and appointment of working groups
- Revoke delegated responsibilities, following a resolution
- Submission of any planning application on behalf of the Council
- To approve the write-off of any debts
- To approve virements
- To approve supplementary budget requests that fall outside of the remit of Standing Committees and Officers
- To approve contractors in accordance with eh procurement policy

Officers

The Council may at any time, following resolution, revoke any delegated authority.

Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council.

CEO, Proper Officer (Clerk and Responsible Finance Officer)

The CEO shall be the Clerk, Responsible Finance Officer and Proper Officer to the Council. The Proper Officer is responsible for dealing with the relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

The Clerk will

- Receive declarations of acceptance of office
- Receive and record members Register of Interest
- Receive and grant dispensations
- Receive and retain plans and documents
- Sign notices or other documents on behalf of the Council
- Receive copies of by-laws made by a principal local authority
- Certify copies of bylaws made by the Council
- Call and arrange all meetings of the Council and its Committees
- Sign and attend meetings of the Council
- Prepare and issue agendas
- Deal with documents, deeds, contracts and agreements following resolution to do so from the Council or any of the Standing Committees
- Respond to requests under the Freedom of Information Act and Data Protection Regulations legislation.
- Day to day management of services, resources and assets, together with routine inspection, compliance and control, including all operational matters
- Manage staff recruitment, performance and discipline
- Make all decisions regarding the training of Councillors and Staff
- Authorise adjustments to contracts of employment and job descriptions to meet the needs of the Council.
- Pay staff expenses and allowances
- Management of salaries in accordance with contracts of employment
- Authorisation to call any extra ordinary meeting of the Council or any of its committees
- Authorisation to respond immediately to any correspondence requiring or requesting information or relating to previous decisions by the Council or its Committees,
- Respond to planning applications when an extension of time is not granted, following consultation with the Chair of the Planning Committee
- Authorisation of routine expenditure within the budget
- Emergency expenditure up to £5,000 outside the budget
- To act as the Councils responsible person for Health and Safety
- To act as the Councils Data Protection Officer
- Deal with matters specifically delegated by Council or Committee
- Overseeing Council transparency, access to information, data use and storage including day to day management of the Council website and Social Media
- Ensure compliance with Standing Orders, Financial Regulations and Council policies and procedures.
- Report to the External Auditor matters under the Local Government Finance Act 1988 s14
- Arrange and manage the Council's insurance arrangements
- Managing income generating activities
- Act on matters specifically delegated by the Council or Standing Committee
- Ratify recommendations from working groups
- To act as a representative of the Council
- To liaise with other organisations, locally, regionally and nationally/

- In an emergency the Proper Officer is empowered to carry out any function to ensure the safety of staff and/or the community. Such emergencies may include fire, flood, loss of electricity, natural disaster or accident (the list is not exhaustive)

Standing Committees

The Council's standing committees are the

- Amenities, Environment and Community Committee
- Finance and Governance Committee
- Human Resources Committee
- Planning Committee

All standing committees have delegated powers to make decisions in accordance with the Committees Terms of Reference and within their authority to spend.

Committees may decide not to exercise delegated responsibility and may instead make recommendations to full council.

Working Groups

Working Groups will make recommendations to an Officer with delegated authority, Standing Committee or Full Council as appropriate for decisions to be ratified.

The Strategic Planning Group will provide strategic support for the CEO/Clerk. This group would not deal with HR matters and all working group agendas will be dispatched to all Councillors in advance of the meetings and report to the Finance and Governance Committee.