

SCHEME OF DELEGATION

The Scheme of Delegation authorises the Proper Officer, Responsible Finance Officer and Committees to act within delegated authority. These delegations are necessary for the effective day to day running of the Council.

All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council. For the sake of clarity, there is no delegation to sub-Committees, Working Groups or to individual Councillors.

The Council may, by resolution, revoke any delegated authority.

Context

All delegations are subject to and in accordance with:

- Approved budgets
- Standing Orders and Financial Regulations
- Other policies and procedures adopted by the Council
- All common law and statutory regulations

Clerk

To act as the Proper Officer of the Council in carrying out all of its functions and to issue all notifications required by law.

- To be accountable for the effective management of all the Council's resources including expenditure in relation to repair and maintenance.
- To have overall responsibility for the Council's administrative service
- To act as a general manager in respect of all of the council's services, projects and initiatives
- To liaise with outside organisations to strengthen the role of the Council and to effect good communication
- To act as the representative of the Council as required
- To manage staff (as set out in Standing Orders)
- To deal with all correspondence except that which requires an opinion to be taken by the Council
- To sign notices, documents and correspondence on behalf of the Council
- To communicate to the Local Planning Authority the decisions of the Planning Committee in respect of applications considered.
- To issue Council press releases in consultation with the Chairman
- To approve Warlingham Green banner requests subject to consultation with Councillors

Responsible Financial Officer (RFO)

The Clerk is authorised to act as the Council's RFO in ensuring that the Council's financial processes and records are acceptable with its function as a local authority

- To make orders, incur expenditure and process payments within authorised budgets.

- To carry out the virement of sums between budget lines
- To manage investments in accordance with the Council's Investment Policy
- To give payment instructions in respect of recurring payments (according to the list previously approved by the Council).

Urgent Matters (including the unavailability of Councillors)

In situations where councillors are unable to meet (e.g. a pandemic) or where an urgent decision is needed before the next scheduled meeting of the Council, the Clerk / RFO is delegated to undertake the management of urgent business in consultation with the Chairman (or in the absence of the Chairman the Vice-Chairman). In these circumstances, the following procedure will apply:

- The Clerk / RFO shall consult with the Chairman. The Chairman shall consider whether the matter(s) justifies summoning councillors to an Extraordinary Meeting [which requires a summonsed period of five clear days]. This assumes that a sufficient number of councillors will be available which may or may not be the case. A note shall be made of the justification for any decision(s) taken and subsequently submitted to the Council and;
- The Clerk / RFO has the authority to take the place of the Council in respect of Financial Regulation 4.1 which states:

“Expenditure on revenue items may be authorised by the Council up to the amounts included for that class of expenditure in the approved budget” and;
- In respect of Financial Regulation 4.5, which addresses the risk to the delivery to council services, the amount therein shall be increased to £2,000.

Following authorisation based on the above, the RFO shall give instruction that a payment be made (Financial Regulation 6.2 refers).

Discretion

The Clerk/RFO may decide not to exercise their delegated responsibilities and instead can make a recommendation to the Council.

Committees

The degree of delegation to Committees is set out in the Terms of Reference for each Committee.

What cannot be delegated

For the avoidance of doubt, there are a number of Council responsibilities that cannot be delegated i.e. setting the budget and precept which by law are reserved for the full Council. The Clerk can provide further details as required.

RECURRING PAYMENTS

The RFO can give payment instructions in respect of the following list of recurring payments:

- Grass cutting fees in respect of the Common Land (Nick Dance)
- Clerk's and Library Volunteer Coordinator's monthly salary (employees)
- Tax & NI quarterly contributions (HMRC)
- Surrey Pension Fund monthly contributions (Surrey County Council)
- Library photocopier provision (ISL)
- Power to The Green, Warlingham (SSE)
- Library Assistants quarterly salary contributions (Surrey County Council)
- Data Protection Registry annual payment (Information Commissioner)