

**Pillerton Hersey Parish Council**  
**SCHEME OF DELEGATION**

Date adopted	6 May 2021
Reviewed	10 May 2022 9 May 2023 14 May 2024
Next review due	May 2025

## **Introduction**

This document sets out the manner in which this Parish Council has delegated powers and responsibilities. This document is one of the three major ways in which the Council regulates its affairs – the others being its Standing Orders and Financial Regulations.

The power to delegate functions is set out in the Local Government Act 1972 s101. The intention of the delegation scheme is to allow the Council to act with all reasonable speed. Decisions should be taken at the most suitable level. Therefore, the Clerk is given powers over the day-to-day administration of the Council and matters of major policy should be recommended to the Full Council.

Whilst delegation is necessary it is the Council's policy that members and the press and public should have the fullest information available to them at all times. Therefore, the Clerk reports all major decisions taken under delegated powers at the next available Council meeting.

The Clerk shall be:

- the Proper Officer and carry out the functions as provided by the Local Government Act 1972.
- the Responsible Financial Officer in accordance with the Accounts and Audit Regulations in force at any given time.

Powers Which Cannot Be Delegated:

- levying or issuing a precept
- borrowing money
- approving the Councils annual accounts
- considering an auditors report made in the public interest
- adopting or revising the Councils code of conduct

This Scheme has been drafted from the NALC Model Scheme of Delegation.

This scheme will be reviewed and amended as required, due to changes in legislation or on the employment of a new Clerk.

Otherwise, the Scheme is confirmed at each Annual General Meeting of the Council.

## **Delegated Powers and Responsibilities**

In addition to the responsibilities set out in the Clerk's job description the Clerk all delegated functions shall be deemed to be exercised on behalf of, and in the name of Pillerton Hersey Parish Council.

Delegation will be performed in accordance with:

- Approved budgets
- Financial Regulations
- Standing orders and other adopted policies of the parish council

The Clerk has the delegated authority to undertake 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.

## **General Matters**

The Clerk is authorised to:

- Conduct day to day administration of services, together with routine inspections and control.
- call any extra meetings of the Council or any Committee as necessary, having consulted with the Chair of the Council and/or the Councillor with responsibility for appropriate for the matter.
- respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council.

- Preparation and submission of comments to Planning Applications where the Council's agreed stance is known.
- Handle requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1988 or General Data Protection Regulation (whichever is in force at the time of request)
- Issue press releases and statements to the press on the Council's known policies.
- Update and manage the content of the Council's website.
- Co-ordinate any Council communications to the community
- Disposal of Council records according to legal restrictions and the Council's current Document Retention Policy.
- Take appropriate actions arising from emergencies in consultation with Chair/Vice Chair of the Council – as appropriate to the circumstances.

## **Financial Matters**

The Clerk is authorised as follows to:

- be the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972
- make routine expenditure in accordance with Financial Regulations (Budgetary Control and Authority to Spend).
- operate the Council's banking arrangements with the approval of the Council
- pay all accounts properly incurred
- pay all subscriptions to which the Council belongs
- make all necessary arrangements to prepare and complete the internal and external audit services for the Council as required.
- incur expenditure on revenue items within the approved estimated and budgets under their control.
- 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 approved estimate.
- maintain a register of assets
- determine the Council's insurance requirements on the Council's behalf
- make all necessary arrangements for the Council's insurances

## **Staffing matters**

The Clerk is authorised as follows to:

- determine approved duties for the payment of travel and subsistence expenses to members and officers where they represent the Council outside of the parish council area.
- authorise training in line with the Council's policies

## **Urgent matters**

The Clerk is authorised to 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 parish council and minuted.

Urgent decisions required between scheduled meetings are delegated to the Clerk in consultation with the council's Chair.

In the absence of the clerk or in the event that the clerk is an interested party, **they** will be substituted by an appropriate substitute from outside the parish council, ideally a clerk **from a nearby parish**.

In the absence of the council's chair, or in the event that the council's chair is an interested party, **they** will be substituted by the vice chair.

Under this delegation, where appropriate, the clerk may conclude that an extraordinary meeting of the council be called to deal with the urgent matter.

### **Emergency Plan**

To implement the council's current emergency plan and to incur appropriate expenditure. Any such action is to be reported to the next meeting of the parish council.