

# Munslow Parish Council

## **Scheme of Delegation to the Parish Clerk**

### **Introduction**

The power to delegate functions is set out in the Local Government Act 1972 s101. This delegation gives the Parish Clerk (who is the Proper Officer, Responsible Finance Officer and Data Protection Officer) powers over day-to-day administration of the Council. The Clerk must report all major decisions taken under delegated powers at the next available meeting.

The scheme does not delegate:

- a. Responsibility for its statutory functions.
- b. Which by law may not be delegated to a Councillor and /or Officer.

The scheme will be reviewed on a regular basis as required by the Council and when a new Parish Clerk is appointed.

### **1. Extent of Delegation**

1.1. All delegated functions shall be exercised on behalf of and in the name of the Council.

1.2. The Parish Clerk will exercise these powers in accordance with:

- Standing Orders
- Approved budgets
- The Council's Financial Regulations
- The Council's Contract Procedure Rules
- The Council's Procurement Strategy
- The Council's Policy Framework and other adopted policies of the Council
- All statutory common law and contractual requirements

1.3. The Parish 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.

1.4. In addition, the Parish Clerk is authorised to undertake the day-to-day administration of the Council to include:

- Payment of all invoices, within agreed budget and subject to authorisation by two bank signatories. Authorisation can be made by email/online if face to face authorisations are not possible

- Awarding a Community Grant Payment as long as the amount awarded is within agreed budget and within the terms of the Community Grant Policy
- Authorisation to respond to correspondence requiring information related to previous decisions of the council but not correspondence requiring a decision to be taken by the Council.
- Handling requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1988 and the General Data Protection Regulation.
- Updating and managing the content of the council's website
- Disposal of Council record according to legal restrictions.

## **2. Urgent Decisions of Council**

- 2.1. Urgent decisions required between scheduled meetings of the council are delegated to the clerk in consultation with the Chairman of the council. Emergency expenditure up to £100 whether or not there is budgetary provision for the expenditure (subject to Standing Orders and Financial Regulations) in consultation with the Chair.
- 2.2. Decisions made under this delegation will be reported to, and recorded in the minutes of, the next council meeting.
- 2.3. Under this delegation, where appropriate, the clerk may decide that an extraordinary meeting of the council be called to deal with the urgent matter.

## **3. Planning Delegation to the Clerk**

- 3.1. The council delegates decisions arising under development control consultations to the clerk unless an objection has been received from a member of the public or a councillor in which case a council meeting should be called.
- 3.2. Delegated decisions will be reported to, and recorded in the minutes of, the next council meeting.
- 3.3. In respect of controversial or major development proposals, the clerk in consultation with the chairman, may decide that a parish meeting and/or an extraordinary meeting of the council be called to consider the matter.

## **4. Written Records**

- 4.1. The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095), which came into force on 6 August 2014, require a written record to be kept of certain decisions made by an officer of a parish council acting under delegated powers. The Clerk will report all decisions made under delegated powers to the next available meeting.

Approved: 2<sup>nd</sup> November 2021 Review in 2023 or new clerk