Scheme of Delegation to the Parish Clerk

Readopted on 16th May 2023
Reviewed and readopted 16th July 2024
Reviewed and readopted 16th September 2025
Reviewed and readopted 15th September 2026

Introduction

This Scheme of Delegation was approved by Petrockstowe Parish Council on 18th January 2022 and will be reviewed annually from May 2023.

The scheme does not delegate any matter:

a. Reserved by law

b. Which by law may not be delegated to a Councillor and /or Officer.

Any subsequent amendments are identified by the date and minute number of the Council resolution in brackets after the amendment.

The powers and duties set out in this scheme are delegated to the Parish Clerk.

The Parish Clerk is also the Responsible Financial Officer and the Proper Officer of the Council and responsibility for the management of the organisation.

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

Proper Officer and Responsible Finance Officer

- To take action on any issue of such urgency, that it cannot wait until the next normal Council meeting. If circumstances permit, the Clerk would normally be expected to consult the Chairman or Vice Chairman if the Chairman is unavailable and take his/her view into account.

- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000.00

- To take any action regarding minor repairs (up to a cost of £1,000.00) and to report minor matters to the relevant authority.

- to arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.

- to incur expenditure up to limit set in the Financial Regulations. thereafter.

- to authorise for payment, staff salaries and expenses in line with council policy.
- to prepare VAT reclaim on behalf of the council.
- to take proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
- to issue invoices on behalf of the council.
- to carry out duties in line with the responsibilities of RFO.
- to carry out duties in accordance with the Financial Regulations of the parish council and the Audit and Accounting and Governance regulations.

Delegated actions shall be in accordance with Standing Orders and Financial Regulations, and in line with directions given by Council from time to time. They shall be reported to, and recorded in the minutes of the next Council meeting.

Delegated Powers re Planning

Planning applications shall be received by the Clerk who will provide details to Councillors and where no queries arise by joint decision of all Councillors, the Clerk shall be delegated to inform the Planning Department within the time allocated of the decision of the Council. All Councillors will report directly back to the Clerk thereby avoiding discussion between members. Where queries arise the Clerk will convene a meeting to discuss the application. If required, the Chairman will call for a site meeting which may require an Extraordinary Meeting to decide upon the application.

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.

Delegated decisions will be reported to, and recorded in the minutes of the next Council meeting.

Written Records

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 keep a log of all decisions made under delegated powers and will arrange for these to be made open for public inspection via the Council website.

Delegation – Limitations

All decisions taken under delegated authority will be in accordance with the Councils Standing Orders and Financial regulations and this Scheme of Delegation, and where applicable any other rules/regulations and legislation. All decisions will be reported to the first appropriate Council meeting. The Council may delegate the power to make individual decisions on individual items to the Proper Office/Responsible Finance Officer and its Committees as and when appropriate.