



## Boughton Aluph & Eastwell PARISH COUNCIL

### Boughton Aluph & Eastwell Parish Council Scheme of Delegation

#### Introduction and background

In order to allow for the efficient continued operation of the Parish Council's functions in unforeseen circumstances, such as where the Council may not meet for reasons of public health, law or other unforeseen circumstances a scheme of delegation needs to be in place. Section 101 of the Local Government Act 1972 provides:

- That a Council may delegate its powers (except those incapable of delegation) to a committee or an officer.
- A Committee may delegate its powers to an officer.
- The delegating body may exercise Powers that have been delegated.

This scheme does not delegate any matter:

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

The powers and duties set out in this scheme are delegated to the Parish Clerk.  
The Parish Clerk is the Proper Officer of the Council, and the Responsible Financial Officer.

The Parish Clerk will exercise these powers in accordance with:

- Approved budgets
- The Council's Standing Orders
- The Council's Financial Regulations
- Any other adopted policies of the Council
- All relevant legislation

In the event that neither Full Council nor Planning Committee can meet to consider a planning applications before the planning authority deadline (original or extended) then the Proper Officer may submit a comment on behalf of the Parish Council. This should be after consultation with parish councillors, in line with the Neighbourhood Plan and not a contentious application.

In an emergency the Proper Officer is empowered to carry out any function of the Council  
The Parish Clerk may do anything pursuant to the delegated power or duty which would be lawful for the Council to do.



**Boughton Aluph & Eastwell**  
PARISH COUNCIL

The Parish Clerk will exercise these powers in conjunction with members of the Parish Council. The Parish Clerk will seek views of members, (consulting with a minimum of the

Chairman and/or Vice-Chairman) as appropriate to the decision and circumstances.

A record will be kept of the decisions made using delegated powers. Decisions will be reported to the Parish Council at the next meeting and recorded in the minutes

**Revised & adopted 22 February 2023**