

# Lydford Parish Council

## Scheme of Delegation to the Parish Clerk

### 1. Introduction

The purpose of this Scheme is solely to allow Lydford Parish Council to fulfil its statutory obligations and conduct necessary business during periods when the Council is not scheduled or able to meet, or where quoracy at a meeting is not possible.

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 to this Scheme 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 Council's Responsible Financial Officer and the Proper Officer and responsible for the administration of the Council.

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

### 2. Extent of Delegation

#### 2.1

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

#### 2.2

The Parish Clerk will exercise these powers in accordance with:

- Approved budgets
- The Council's Financial Regulations
- The Council's Policy Framework and other adopted policies of the Council
- All statutory common law and contractual requirements

#### 2.3

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.

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### **2.4**

Specifically, the Parish Clerk is authorised to undertake the day to day administration of the Council to include:

- Emergency expenditure up to £500 whether or not there is budgetary provision for the expenditure (subject to Standing Orders and Financial Regulations) and after consultation with the Chair / Vice Chair
- Payment of all invoices, within agreed budget and subject to authorisation by two bank signatories.
- Awarding an Emergency Grant Payment as long as the amount awarded is within agreed budget and within the terms of the Grant Policy, and after consultation with Chair / Vice Chair.
- Taking appropriate action arising from other emergencies (in consultation with the Chair / Vice Chair of Council as appropriate to the circumstances).

### **3. Urgent Decisions of Council**

#### **3.1**

Urgent decisions required between scheduled meetings of the council are delegated to the Clerk in consultation with the Chairman of the Council.

#### **3.2**

Decisions made under this delegation will be reported to, and recorded in the minutes of, the next Council meeting.

#### **3.3**

Under this delegation, where appropriate, the Clerk may decide that an extraordinary meeting of the Council be called to deal with the urgent matter.

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

#### **4.1**

The Council delegates responses arising under development control consultations to the Clerk in consultation with all Councillors.

#### **4.2**

Consultation may be by correspondence, including email, or in person. It may also take place at meetings of the Council.

#### **4.3**

The Clerk will arrange for relevant papers to be circulated to Councillors who should return their comments to the Clerk for determination of the Council's response within the prescribed consultation period.

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### 4.4

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

### 4.5

In respect of controversial or major development proposals, the Clerk in consultation with the Chair or Vice Chair, may decide that a Parish Meeting or an extraordinary meeting of the Council be called to consider the matter.

## 5. Written Records

The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095) 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. All decisions made under delegated powers will be reported at the next Council meeting for ratification and reporting.

Adopted (date)

Agenda item

refers

To be reviewed (date)