

Adopted	4 April 2022
Review Date	April 2022

Foxton Parish Council

Scheme of Delegated Powers

The power to create a scheme is derived from the provisions contained in Section 101 of the Local Government Act 1972.

As the Proper Officer, the Parish Clerk can be authorised under the Scheme for the proper administration of the functions falling within their responsibility.

Should the holding of Council Meetings be suspended as a result of civil emergency, the implementation of government advice / restrictions on direct contact in relation to national health, or other emergency or where the Parish Council is inquorate, the Clerk has delegated authority to take decisions in pursuance of the provision of ongoing Council services and business and in relation to new Council policy and functions arising from the circumstances that precipitated the suspension of Council Meetings.

Scheme Compliance;

In exercising delegated powers, the Clerk will need to be aware of and comply with;

1. Any statutory Provisions
2. Foxton Parish Council Standing Orders and Financial Regulations
3. Foxton Parish Council's policy framework and budget
4. Agreed arrangements for recording decisions
5. The requirement to consult persons or representatives of persons who may be affected by the decision, including, where appropriate, local Councillors

This Scheme of Delegation does not delegate any matter which;

1. Is reserved by law or by Foxton Parish Council Standing Orders and Financial Regulations
2. Which may not by law be delegated to an officer

Recording decisions made under the scheme;

All decisions will be retrospectively reported and recorded in the Council Minutes and made available on request to individual Councillors and to the public, subject to any limitations on exempt or confidential information – at the earliest opportunity.

Taking back decisions;

It is always open for the Council (or any committee) to take decisions on any matter falling within the Scheme of Delegated Powers of the Clerk, provided that as far as committees are concerned, the matter falls within their terms of reference.

Schedule of Parameters;

- Permission for the Clerk to determine any urgent matter in the purview of the Council or any committee where it is impracticable to convene a meeting of that body to consider a matter
- Permission for the Clerk to incur expenditure or take any other step in the day-to-day operation of Council services in accordance with approved budgets of any service area
- Permission for the Clerk, in non-urgent situations, to action the business having sought in writing the views of all councillors with not less than 3 working days' notice. Decisions made under such delegations shall be noted at the next meeting of the council.
- Permission for the Clerk to provide comments on planning applications having sought in writing the views of all Planning Committee members with not less than 3 working days' notice. Decisions made under such delegations shall be noted at the next meeting of the council or Planning Committee.
- Permission to take action on behalf of the Council in any urgent matter which does not allow for the prior authorisation to be obtained where;
 - There is a serious risk of significant cost to the Council of loss of income resulting from lack of immediate action
 - The Council's property or staff or persons in its care or for whom it has responsibility would otherwise be placed at risk of suffering harm/damage
 - An emergency or disaster involving destruction or danger to life or property occurs or is imminent or there are reasonable grounds for apprehending such an emergency or disaster and such action is calculated to avert, alleviate or eradicate the effects or potential effects of the event

Delegated authority for other day-to-day matters include;

- General administrative matters
- Health & safety issues
- Financial Arrangements and processing of payments (including salaries and invoices). Where expenditure is involved, such action will be conditional upon financial provision being included within the approved budget and in compliance with financial procedure rules
- Processing legal agreements and contracts
- Procuring goods and services
- Taking professional and legal advice

Ends.