

# CUBBINGTON PARISH COUNCIL

## **Introduction.**

This document sets out the manner in which this Parish Council has delegated powers and responsibilities. This document is one of the four major ways in which the Council regulates its affairs; the others are its Standing Orders, Financial Regulations and Financial Control.

The power to delegate functions is set out in the Local Government Act 1972 s101. The intention of the delegation scheme is to allow the Council to act with all reasonable speed. Decisions should be taken at the most suitable level. Therefore, the Clerk is given powers over the day to day administration of the Council, Committees to decided matters within their Terms of Reference, and matters of major policy should be recommended to the Full Council. Whilst delegation is necessary it is the Council's policy that members and the press and public should have the fullest information available to them at all times. Therefore, the Clerk reports all major decisions taken under delegated powers at the next available Council meeting.

## **Proper Officer and Responsible Financial Officer**

The Clerk shall be:

- the Proper Officer and carry out the functions as provided by the Local Government Act 1972.
- the Responsible Financial Officer in accordance with the Accounts and Audit Regulations in force at any given time.

## **Delegated Powers and Responsibilities**

In addition to the responsibilities set out in the Clerk's job description the Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services, together with routine inspections and control.
- Authorisation to call any extra meetings of the Council or any Committee as necessary, having consulted with the Chairman of the Council.
- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council or its Committees.
- Authorisation of routine expenditure in accordance with Financial Regulations (Budgetary Control and Authority to Spend).
- Preparation and submission of comments to Planning Applications where the Council's agreed stance is known.
- Handling requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1988 or General Data Protection Regulation (whichever is in force at the time of request)
- Issuing press releases and statements to the press on the Council's known policies.
- Updating and managing the content of the Council's website.
- Co-ordination of the Council's newsletter articles.
- Disposal of Council records according to legal restrictions and the Council's Record Management Policy.
- Take appropriate actions arising from emergencies in consultation with Chairman/Vice Chairman of the Council - as appropriate to the circumstances.

## **PAYMENTS**

The Clerk & RFO shall have delegated authority to authorise the payment of items in the following circumstances:

- If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998
- When the due date for payment is before the next scheduled Meeting of the Parish Council
- Where the Clerk & RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of the Parish Council

### **How payments are made:**

- Payments are scheduled by the Clerk & RFO on the on line banking system, the Clerk & RFO then notifies 2 of the parish council signatories on the Bank Account who check the payments and authorise the payments, once authorised the payments are released.
- The Clerk & has Delegated Authority to make payments identified in the Budget as these have been previously approved by the Full Council. The Clerk & RFO also has delegated authority to make payments up to the sum of £2,000 in times of emergency or need eg to carry out repairs to assets such as bus shelters, play equipment etc, where time is of the essence. The Clerk & RFO liaises with the Chairman (in the first instance) and all members as soon as possible. All invoices and bank statements are available for checking by non-signatories at all Parish Council meetings.

This Scheme has been drafted from the NALC Model Scheme of Delegation.

This scheme will be reviewed and amended as required, due to changes in legislation or on the employment of a new Clerk.

Otherwise, the Scheme is confirmed at each Annual Parish Council Meeting usually held in May each year.

Updated May 2023

Review date is May 2024