

Debenham Parish Council

Scheme of Delegation – Parish Clerk

1. Introduction and legal basis

This document sets out the manner in which the Parish Council has delegated some of its powers.

The legal basis of the delegation conferred by the document is contained in the following provisions of the Local Government Act 1972: "S. 101 Arrangements for discharge of function by local authorities."

Subject to any express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their functions: by a committee, a sub-committee or an officer of the authority, or by any other local authority.

The Clerk to the Council is designated and authorised to act as the Responsible Financial Officer (RFO) for the purposes of any statute requiring the designation of a Responsible Financial Officer. Local Government Act 1972 s151.

The Council employs the Clerk to the Council under section 112 of the Local Government Act 1972 for the proper discharge of its functions.

Any arrangements made by a local authority or committee under this section to discharge any functions by a committee, sub-committee, officer or local authority shall not prevent the authority or committee by whom the arrangements are made from exercising those functions.

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

2. Details of the scheme:

The purpose of the delegation scheme is to ensure the prompt delivery of service, timely discharge of functions and speed of response to any matter of the Council.

The Clerk will be permitted to carry out the actions listed in the scheme without further consultation or resolution (unless otherwise specified).

All actions shall be in line with existing Standing Orders and Financial Regulations and will have regard for budgetary limitations.

The Clerk will keep all members informed of any actions taken under the scheme as soon as practicable. In cases of high risk/emergency, the Chairman/Vice-Chairman shall be consulted (if available) and informed as soon as possible.

The 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.

Under this delegation, where appropriate, the Clerk may decide that an extraordinary meeting of the Council be called to deal with an urgent matter. This may be due to lack of budgetary provision, legal implications, being outside of approved policies or not in line with the Council's ethos.

The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095), which came into force on 6 August 2014, requires 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 relevant decisions made under delegated powers and will arrange for these to be made open for public inspection via the Council website

3. List of actions permitted under the scheme:

- a) Undertake day to day management and maintenance of Council land, assets and facilities.
- b) Organise and manage events on behalf of the Council.
- c) Represent the Council at meetings, forums, networking events and training sessions.
- d) Prepare and publish Council publications, documents, public statements and press releases.
- e) 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.
- f) Incur expenditure on behalf of the Council which is necessary to procure services, carry out any repair, replacement or other work which is of such urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit set in Financial Regulations. The Clerk shall report the action to the Council as soon as practicable thereafter.
- g) Incur expenditure on behalf of the Council, which is necessary to procure services, carry out a repair, replacement or other work which is necessary in order to ensure continuity of service provision, availability of facility /asset to the public and damage limitation, in accordance with the Council's Financial Regulations and budgetary provision.
- h) To accept quotations or tenders for work, supplies or services (where tenders are required by the Council's Financial Regulations), subject to the cost not exceeding the amount approved estimate and all the requirements of the Council's Financial Regulations being complied with.
- i) Authorise the payment of contractor expenses or one-off additional fees in line with the Council Policies.
- j) Take reasonable steps as may be necessary to recover any debt owing or other obligations due to the Council.
- k) Report infringements/rule-breaking to other authorities (ie dog fouling, fly-tipping, illegal parking, etc.).
- l) Take necessary action to protect the reputation and interest of the Council where necessary, in line with existing policies and relevant legislation.
- m) Carry out periodic inspections of all Council owned land, property and assets.
- n) Authorise the closure of all or parts of Council facilities to either prevent risk or to allow for maintenance work on health & safety grounds. Authorise the reopening of said facilities once works have been completed.
- o) Keep the effective management of all land and property under review and take such emergency action as may be necessary for the protection of the public or of the Council's property.
- p) Approve third-party applications for public use of Council land and facilities as required whilst still ensuring appropriate risk assessment and public liability obligations are met (ie use of village greens).

- q) Make enquiries with third party organisations and contractors for the effective provision of costings and quotes.
- r) Arrange and attend meetings with members of the public, local authorities and third party stakeholders as necessary to discharge the Council's functions.
- s) Liaise with the Insurance provider as and when necessary to review cover, report incidents, process claims and approve receipt of income.
- t) Act on behalf of the Council in cases of urgency or emergency, or in any case where failure to act has the potential to result in liability challenge, legal action, or additional charges/fines/fees levied.

Reviewed on: 20th April 2026

Next review due: March 2027