



Scheme of Delegation

Kempley Parish Council

Adopted 17.03.25

Next Scheduled Review March 2025

The Local Government Act 1972, section 101, gives a Parish Council power to delegate decisions to a committee, a sub-committee reporting to a committee or the Clerk, being the Council's Proper Officer.

Planning Delegation to the Clerk

- The Council delegates decisions arising under development control consultations to the Clerk in consultation with members determined by council
- The councillors to be consulted will be the Chairman, Vice Chairman and one other member of the council. In the event the Chairman and Vice Chairman are unavailable, decision will be delegated to any three members of the Council
- Consultation may be by correspondence, including email, remotely, or in person. It may also take place at meetings of the Council
- Decisions made under delegation will be reported to and minuted at the next Parish Council meeting
- Under delegation to the Clerk, and in particular regarding controversial or major development proposals, the Clerk in consultation with the Chairman, may decide that an Extraordinary Meeting of the Parish Council be called to consider the matter or that the matter be referred to the next council meeting, whichever is appropriate

Granting Dispensations Delegation to the Clerk

- The Council delegates the power to grant dispensations to the Clerk
- The power rests with the relevant authority under section 33(1) of the Localism Act 2011 and the basis is set out under section 33(2)

Expenditure Delegation

Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the Council for all items over £500.00
- a duly delegated committee of the council for items over £500.00
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500.00

Urgent Decisions Delegation to the Clerk

- Urgent decisions required between scheduled meetings are delegated to the Clerk in consultation with the Chairman. In the absence of the Chairman, or if the Chairman is an interested party, they will be substituted by the Vice-Chairman
- The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is urgent and must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500.00
- The Clerk shall report the action to the Council as soon as practicable thereafter
- Under this delegation, where appropriate, the Clerk may conclude that an extraordinary meeting of the Council be called to deal with the urgent matter
- Decisions made under this delegation will be reported to and minuted at the next Council Meeting

Delegation to the Clerk due to exceptional circumstances

- If due to exceptional circumstances, it is not possible to convene a meeting of the Council in a reasonable time, the Clerk shall have delegated authority to make decisions on behalf of the Council where such decision cannot reasonably be deferred and must be made in order to comply with a commercial or statutory deadline. This will be carried out where possible by consultation with Councillors by electronic means or telephone. The Clerk will further consult with the Chairman for guidance as necessary. This delegation does not extend to matters expressly reserved for the Council in legislation or in its Standing Orders or Financial Regulations
- Decisions made under this delegation will be reported to and minuted at the next Council Meeting

Note

No Parish Councillor may act independently; all Parish Council actions must be by way of the full Council or the Clerk.

The following functions cannot legally be delegated:

- Setting of the Precept
- Appointment of the Council Chairman
- Any decision regarding borrowing
- Approval of the Annual Governance and Accountability Return