

LAVENHAM PARISH COUNCIL

AGREED SCHEME OF DELEGATION MARCH 2024

1. The Local Government Act 1972, section 101, gives a parish council power to delegate decisions to an Executive Committee or the Parish Clerk, being the council's Proper Officer. Hereafter for the purposes of this scheme, referred to as the Proper Officer for administrative functions and the Responsible Financial Officer (RFO) where budgeted expenditure is authorised or in exceptional circumstances, where expenditure commitments need to be made. This Council does not operate a Committee structure.
2. All Council decisions must be agreed at a properly constituted meeting of the Council unless the decision is delegated to the Proper Officer.
3. The Proper Officer is the only individual in law who can act on behalf of the Council and lead the administration of all the Council's activities. Therefore, the only individual who can have functions delegated to them is the Proper Officer. The Proper Office may be supported in the normal business of the Council by the Chairman and/or Vice Chairman. The functions delegated to the Proper Officer are contained in the Council's Standing Orders and Financial Regulations, both of which are based on the NALC model.
4. No individual Parish Councillor or group of Councillors can make decisions or issue instructions on behalf of the Council, other than those agreed at Parish Council full meetings.
5. Delegation of decisions to the Proper Officer for routine and urgent business is a necessity to ensure the smooth running of the Council.
6. Decisions taken shall be reported to Councillors by email and will be reported to the next meeting of the Council so that they can be recorded in the minutes.
7. Where reference is made to Chairman in this document, in all instances where the Chairman is unavailable or is an interested party, the Vice-Chairman shall be substituted or, where the Vice Chairman is unavailable or where there is no Vice Chairman, by a member of the Council voted for by the majority of the remaining members
8. This scheme of delegation is subject to being implemented in accordance with the law, the Council's Standing Orders and Financial Regulations May 2023.

Delegation of Functions

Function or Circumstance	Example	Delegated Action(s)
Routine Communications	Parishioner/public enquiries received by telephone/email/post	<ol style="list-style-type: none"> 1. Acknowledge receipt within 5 days and full response within 20 working days.
Urgent Business including but not limited to enquiries from Parishioners, the Press, Local Authority Officers or Councillors or Member of Parliament	Any report of matters that the Council must respond to within 24 hours or if a weekend or public holiday with 48 hours.	<ol style="list-style-type: none"> 1. Urgent decisions required between scheduled meetings are delegated to the Proper Officer in consultation with the Council's Chairman. 2. Wherever possible members will be given notice of any urgent decision the Proper Office needs to take, in order for them to make their views known (notwithstanding the Proper Officer in consultation with the Chairman can take any action they deem as extremely urgent immediately). 3. In the absence of the Proper Officer or in the event he/she is an interested party, s/he will be substituted by an appropriate substitute from outside the Council, ideally a Parish Clerk from within the same district. 4. The Council's Chairman will arrange for a substitute in conjunction with the substantive postholder (where possible) and with guidance from SALC. 5. In the event of a tie between members, the Chairman has the casting vote if s/he is available, if not the tied member with the longest service as a Parish Councillor will substitute the Chairman. 6. Decisions made under this delegation will be reported to and minuted at the next Council meeting.

		<p>7. Under this delegation, where appropriate, the Proper Officer may conclude that an extraordinary meeting of the Council be called to deal with the urgent matter.</p> <p>8. When it is not possible for members to discuss issues at a scheduled Council meeting or an extraordinary meeting, members may confer (in person, by telephone, email or other electronic means) and the outcome of this discussion will be conveyed to the Clerk by email for a decision to be made.</p>
<p>Consultations (Planning)</p>	<p>To notify the Council of all planning application consultations received.</p> <p>In the event of the consultation end-date falling before the date of the next council meeting, take action as described.</p>	<ol style="list-style-type: none"> 1. Request an extension of response timescale from Babergh District Council. 2. Inform the Chairman and Lead Councillor for Planning 3. If an extension of response timescale is denied, discuss with members and either call an extraordinary meeting to agree the Council's response or collate members' individual comments by email and take the majority view to respond to the Planning Authority. 4. Review Babergh District Council website to ensure that all Planning Applications and Requests for Discharge of Conditions have been forwarded to the Chairman and Lead Councillor for Planning. 5. Maintain a register of Conditions requested by Council.
<p>Managing Contracts</p>	<p>To monitor delivery of routine contracts e.g., grass-cutting and be the first point of contact for all contractors appointed by the Council</p>	<ol style="list-style-type: none"> 1. Resolve interruptions in service in liaison with Contractors 2. Report significant and repeat problems to the Council 3. Review contract performance annually and report to the Council

Elections	Casual Vacancies Ordinary Elections	<ol style="list-style-type: none"> 1. To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with them regarding any statutory notices, electoral arrangements and co-option. 2. To provide guidance and support to candidates in accessing information and completion of nomination forms <p>Apply (2) above</p>
Emergency Response	In the event of a major incident	<ol style="list-style-type: none"> 1. Make yourself known to the Emergency Services in situ 2. Contact the Chair and Vice-Chair and trigger a cascade of information and tasks to Councillors as directed by Emergency Services
Meetings	To ensure Council meetings are arranged in accordance with Standing Orders	<ol style="list-style-type: none"> 1. To arrange and call meetings of the Council, as and when expedient in consultation with the Council's Chairman. 2. To follow government guidance on holding meetings in times of national emergency.
Finance	To act as the Responsible Financial Officer referred to hereafter as the RFO	<ol style="list-style-type: none"> 1. To manage the finances of the Council as set out in the Standing Financial Regulations. 2. To seek authorisation from the Council for all expenditure not covered in this Scheme of Delegation. Attachment 1 sets out the detail about who can commit resources, authorise invoices and the applicable financial limits. 3. To maintain adequate insurance cover for the Council's activities and assets. 4. If required, and dependent on banking arrangements, to manage timely transfer of funds between the

		<p>Council's bank accounts in order to maintain adequate cash-flow and in accordance with the Council's investment policy.</p> <ol style="list-style-type: none"> 5. To manage income flow and expenditure in line with the annual budget agreed by the Council. 6. To pay providers upon receipt of invoice, for goods and services supplied under Contract and previously agreed by the Council. 7. To arrange purchase of and reimbursement for sundry items within the budget headings agreed by the Council. 8. To provide a monthly report to the Council, of expenditure against budget. 9. To provide a monthly report of grant requests or extraordinary expenditure for decision by the Council. 10. To provide a draft budget to the Council for the forthcoming year and forecast for future years. 11. The RFO shall ensure that the Clerk and three Councillors each have unique passwords to the Banking Software.
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Date for Review: March 2025.