



DELEGATION POLICY 2026

Scheme of Delegation to the Parish Clerk

Introduction

The Parish Clerk is also the Council's Responsible Financial Officer and the Proper Officer with responsibility for the proper administration and management of Coveney Parish Council. The range of work undertaken in the role of Parish Clerk is diverse, and it is undertaken within legal, financial and procedural frameworks.

The powers and duties set out in this scheme are delegated to the Parish Clerk.

1) Extent of Delegation

- a) All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.
- b) The Parish Clerk will exercise these powers in accordance with
 - approved budgets
 - the Council's Financial Regulations
 - the adopted policies of the Council
 - all statutory common law and contractual requirements
- c) The Parish 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.
- d) In the event that the Council is unable to meet due to the Death of a Senior Figure (public mourning), COVID 19 Restrictions (or such like) (Lockdowns, unable to meet face-to-face), or in the event of any other business interruption, the Clerk will be delegated powers to make decisions on behalf of the Council, until such time as the Council can meet.
- e) All decisions made under this delegated power must be reported to the next meeting of the Council, and recorded in the minutes.

2) General Matters

- a) The Parish Clerk is authorised:
 - To sign on behalf of the Parish Council any Orders, Correspondence, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Parish Council.
 - To take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
 - To institute and appear in any legal proceedings authorised by the Council.
 - To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest.

- To alter the date or time of a Council or committee or working party meeting but, before doing so, shall consult the Chair of the Council, or Chair of a committee or working party concerned, about the need for the change and about convenient alternative dates and times.
- Deal with day-to-day matters relating to the use of council premises.
- To manage all the Council's current services including the following:
 - The Council's allotments.
 - The Council's Newsletters / notices and other publications.
 - The Council's events.
 - The Council's facilities, open spaces and amenity areas.
- To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000.
- To apply for planning consent for all development by the Council, following Council decisions.
- To apply for planning consent for tree works by the Council.
- To respond to complaints made under the Council's Complaints procedure.
- To manage, monitor and review the Council's Internal control procedures.
- To manage, monitor and review the Council's Risk Management Strategy.

3) Financial Matters

a) The Parish Clerk is authorised as follows:

- To be the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972.
- To operate the Council's banking arrangements including arranging overdrafts with the approval of the Council.
- To incur expenditure provided that any action taken complies with any legislative provisions and the requirements of the Council's Financial Regulations and Standing Orders.
- To prepare payments of all accounts properly incurred, for authorisation by two signatories.
- To prepare payments of all subscriptions to organisations to which the Council belongs, for authorisation by two signatories.
- To make all necessary arrangements for the provision of an internal and external audit service for the Council.
- To negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate.

- To incur expenditure on revenue items within the approved estimates and budgets under their control.
- 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 approved estimate;
 - the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation;
 - all the requirements of the Council's Financial Regulations being complied with.
- To authorise action for the recovery of debts.
- To maintain a Register of Assets and Inventory of Equipment.
- To determine the Parish Council's insurance requirements on the Council's behalf.
- To make all necessary arrangements for the Council's insurances.
- To prepare a draft budget for consideration by the Council.
- To prepare the Final Accounts for each financial year.

4) Property Matters

- a) The Parish Clerk is given authority to manage the land and property of the Council including:
 - Enter discussions regarding the terms of any lease, license, conveyance or transfer in consultation with the Council's legal advisers.
 - Enter discussions regarding the granting or refusal of the Council's consent under the terms of any lease.
 - Enter discussions regarding Variations of restrictive covenants of a routine nature.
 - Enter discussions regarding the granting of easements, way leaves and licences over Council land as approved by Council recommendation.
 - Initiate legal action or proceedings against unauthorised encampments on Council land, in consultation with the Chair/Vice-Chair.

5) Urgency

- a) The Parish Clerk is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council or relevant committee or subcommittee. The Chair and the Chair of any relevant committee are to be consulted before such action is taken if possible and if time allows

6) Procedural

- a) To authorise officers to exercise statutory powers of entry and inspection for the purposes of any function under their control.
- b) To serve requests for information as to ownership ,occupation and other interests in land for the purposes of any function under their control but within GDPR / data protection regulations.
- c) To appoint consultants and others to carry out any function and provide any service under their control as approved by Council recommendation.

7) Health and Safety at Work Act 1974

- a) To oversee the discharge of the Council's responsibilities under the Act and to ensure risk assessments are carried out / provided.
- b) To ensure all contractors / users of Council facilities meet the requirements of the Council in terms of insurance; risk assessments; supply of scope of works and that no works on Council property takes place until received and approved.
- c) To terminate contractual arrangements if the Councils requirements are not being met.

8) Legal Proceedings

- a) To take and discontinue legal proceedings in any Court or at any Tribunal as approved by Council recommendation.
- b) To take Counsel's advice or instruct Counsel to represent the Council, as approved by Council recommendation.
- c) To seek injunctions and commence proceedings for the purposes of enforcement in accordance with the Council's policies recovering money due to the Council, recovering or otherwise preserving possession of the Council's land or property, defending the interests of the Council appealing against a decision affecting the interests of the Council and responding to appeals against action taken by the Council.
- d) To represent the Council at Court or any Tribunal or to make arrangements for appropriate representation.
- e) To negotiate and settle the terms of documents to give effect to a decision of the Council or any of the committees or of any officer acting under delegated powers.
- f) To be the Responsible Officer for the co-ordination and operation of the legal requirements under the Data Protection Act and the Freedom of Information Act.
- g) To serve Requisitions for Information.