



# Higher Kinnerton Community Council

## Scheme of Delegation

### Delegation Scheme Principles of Delegation

1. Section 101 of the Local Government Act 1972 provides, inter alia, that a Council may delegate its powers (except those incapable of delegation) to an officer, namely the Clerk to the Council/Responsible Financial Officer (“the Clerk”)
2. Any delegation to the Clerk shall be exercised in compliance with the Council’s Standing Orders, Financial Regulations, the Clerk’s employment contract and job description, this Scheme of Delegation and the law and, where applicable, any other policies of the Council or conditions or directions given by the Council.
3. In making any decision, regard shall be had to the priorities, aims and objectives of the Council.
4. In an emergency, the Clerk is empowered to carry out any function of the Council in accordance with this Scheme of Delegation.
5. In circumstances where the Clerk is contemplating any action under delegated powers, which is likely to have a significant impact, the Clerk shall consult with Councillors and shall obtain appropriate legal, financial and other specialist advice before action is taken.

### Scheme of Delegation

The Council’s Scheme of Delegation authorises the Clerk to act with delegated authority in the specific circumstances detailed below:

- To take action on any issues of such urgency that cannot wait until the next normal Council meeting, such actions to include those necessary to prevent the Council from incurring liabilities and to carry out administrative functions required to ensure the effective operation of the Council including but not limited to raising invoices, making payments, placing and/or cancelling orders for goods/services/training courses etc and general administrative functions. If circumstances permit, the Clerk will consult the Chairman or Vice Chairman if the Chairman is unavailable and take his/her view into account.
- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit set out in the Council’s Financial Regulations
- The Clerk will provide details of any planning applications received to Councillors and where no queries arise by joint decision of the majority of Councillors, the Clerk shall have delegated authority to inform the Planning Department within the time allocated of the decision of the Council. All Councillors will report directly back to the Clerk.
- Delegated actions and decisions shall be reported by the Clerk to the next appropriate Council meeting.