

Salt and Enson Parish Council – Scheme of Delegation

1. Introduction

The Scheme of Delegation (s101 of the Local Government Act 1972) provides for the delegation of authority to the Clerk (Proper Officer) to make decisions on behalf of the Council, as and when appropriate.

Delegation is designed to:

- Facilitate effective decision-making
- Allow the Clerk to take executive action within legal and policy frameworks
- Ensure continuity of council business between meetings

Any delegation is exercised in accordance with Standing Orders, Financial Regulations, Council policies, and the law.

2. Legal Basis

Under s101 of the Local Government Act 1972:

- A Council may delegate powers (except those incapable of delegation) to a committee or an officer.
- A committee may delegate its powers to an officer.
- The delegating body may exercise powers that have been delegated.

Delegations to the Proper Officer may be exercised directly or through a named nominated officer.

In an emergency, the Proper Officer is empowered to carry out any function of the Council.

3. General Principles for Delegated Action

1. Officers must consult at least two Members before taking action likely to have significant local impact, obtaining appropriate legal, financial, or specialist advice.
2. Where two Members are not available, the Clerk should consult the Chair or Vice-Chair before taking action.
3. Records must be maintained to demonstrate a clear decision-making trail.
4. All actions taken under delegated authority must be reported at the next available Full Council meeting.

4. Items Not Delegable to the Clerk

The following may not be delegated and must be resolved by Full Council:

- Appointment of Chairman and Vice-Chairman (May each year)
- Signing the Governance Statement (by 30th June each year)
- Setting the precept

- Appointment of the Clerk
- Making byelaws
- Borrowing money
- Matters required by law to be considered by Council

5. Delegation to the Proper Officer (Clerk)

The Clerk is authorised to act with delegated authority in the following circumstances:

5.1 Urgent Action

- Take action on any issue that cannot wait until the next Council meeting.
- Consult a minimum of two Members, or if unavailable, the Chair/Vice-Chair.
- Action may be taken by email, telephone, or virtual meeting, followed by written confirmation.

5.2 Use of Council Land – Third-Party Events

- Grant or refuse permission for third-party use of Council land or facilities, acting solely as landowner.
- Permission is conditional on receipt of appropriate documentation, including:
 - Public liability insurance
 - Risk assessment
 - Event plan / method statement
 - First aid arrangements
 - Safeguarding policy (where children or vulnerable adults are involved)
- High-risk, unusual, or contentious events must be referred to Council.
- All permissions granted are reported to the next Full Council meeting.

5.3 Financial Authority

1. Budgeted Expenditure

- Authorise expenditure within previously approved budgets, consulting at least two Members and the Chair.
- Includes payments overdue before the next Council meeting or where discounts may be lost.
- Includes normal salaries and previously agreed expenditure.

2. Emergency or Urgent Expenditure

- Authorise expenditure for repairs, replacements, or essential projects of extreme urgency, even if unbudgeted, after consulting the Chair.

3. Minor Purchases / Repairs

- Authorise minor repairs or purchases, consulting the Chair.

5.4 Planning Matters

- Receive planning applications and determine responses after consultation with at least two Members.

6. Limitations, Reporting, and Record Keeping

- Delegated actions must comply with Standing Orders, Financial Regulations, legislation, and Council policies.
- Records must demonstrate a clear decision-making trail, including consultations and approvals.
- Delegated actions are reported to the next available Full Council meeting.

Adopted: 2nd September 2026

Next Review: May 2027