

Little Bealings Parish Council

Scheme of Delegation

The Council's Scheme of Delegation authorises the Clerk to the Council/Responsible Finance Officer ("the Clerk") to act with delegated authority in the specific circumstances set out below.

Legal Context

Section 101 of the Local Government Act 1972 provides that a Parish Council may delegate its powers (except those incapable of delegation) to a committee or an officer. Powers cannot be delegated to Councillors.

Any delegation to an officer, ie the Clerk, shall be exercised in compliance with the Council's Standing Orders and policies and within the law.

Terms of Reference of the Scheme of Delegation

Exceptional Circumstances

Exceptional Circumstances will be deemed to exist upon the Council passing a resolution to that effect at a meeting ("the Resolution"). The Resolution will include an end date by which the Council will meet to consider whether Exceptional Circumstances continue to exist, and which will be within 12 months of the passing of the Resolution.

Upon the passing of the Resolution stating that Exception Circumstances exist, the Council hereby delegates authority to the Clerk, after consultation with the Chairman and Vice Chairman, or without consultation where consultation is not possible, to take any actions necessary, including incurring associated expenditure to protect the interests of the community of Little Bealings and ensure Council business continuity, during the period of the Coronavirus pandemic.

For the avoidance of doubt, the following powers are not delegated to the Clerk by the passing of the Resolution:

- To appoint the Chairman and Vice-Chairman
- To sign off the Annual Governance and Accountability Statement
- To set the precept
- To appoint officers
- To make byelaws
- To borrow money
- To incur expenditure in excess of £500
- To consider any matter required by law to be considered by Council.

Planning Applications

The power to determine the Council's responses to consultations on planning applications received from East Suffolk Council and Suffolk County Council is delegated to the Clerk, after circulation of the application to Councillors and following consultation with the Chairman and Vice Chairman of the Council, where:

- Either the timescale for a response to the Planning Authority precludes the ability of the Council to determine its response at a meeting of the Council

- Or Exceptional Circumstances, as defined above exist.

Review

This Scheme of Delegation will be reviewed annually at the Annual General Meeting of the Council.

This Scheme of Delegation was first adopted by the Council at its meeting on 7 February 2022.