



Delegation to the Clerk in an Emergency

1. Introduction

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

The Clerk is also the Council's Responsible Financial Officer and Proper Officer and responsible for the management of the council. This authority will only come into force in an emergency once three months had passed without the council being able to meet.

2. Extent of Delegation

All delegated functions shall be deemed to be exercised on behalf of and in the name of the council.

The Clerk will exercise these powers in accordance with:

- I) Approved budgets
- II) The Council's Financial Regulations
- III) The Council's Policy Framework and other adopted policies of the Council
- IV) All statutory common law and contractual requirements

The Clerk may do anything pursuant to the delegated power or duty, which would be lawful for the Council to do including anything reasonable implied or incidental to that power or duty.

3. General Matters

The Clerk is authorised to

- I) Sign any Order, Deeds or documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the council.
- II) Take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the council
- III) Institute and appear in any legal proceedings authorised by the council
- IV) Alter the date or time of a council meeting
- V) Decide arrangements for the closure of council property
- VI) To act as the council's designated officer for Freedom of Information requests
- VII) To apply for planning consent for the carrying out of any development by the council
- VIII) To respond to consultation on planning applications in consultation with the Chairman and Vice Chairman
- IX) To respond to complaints made under the council's complaints procedure
- X) To manage, monitor and review the council's internal control procedures
- XI) To manage, monitor and review the council's risk management strategy

4. Financial Matters

The Clerk is authorised to:

- I) Be the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972
- II) Operate the council's banking arrangements
- III) Incur expenditure up to a maximum of £2,000 for any emergency to keep the council and its assets running in consultation with the Chairman. Otherwise, to incur expenditure up to the limits as budgeted
- IV) Pay all accounts properly incurred
- V) Pay all subscriptions to organisations to which the council belongs
- VI) Make all necessary arrangements for the provision of an internal and external audit service for the council
- VII) Incur expenditure on revenue items within the approved budgets
- VIII) Enter into leasing and contract hire agreement if necessary
- IX) Accept quotations or tenders for work or services (where tenders are required by the council's financial regulations), subject to:
The cost not exceeding the amount 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
- X) Carry out virement of sums between cost centres in accordance with the council's financial regulations
- XI) Maintain a register of assets and inventory
- XII) Determine the council's insurance requirements on the council's behalf
- XIII) Determine community grant applications in consultation with the Chairman and Vice Chairman

5. Property Matters

The Clerk has, in consultation with the Chairman and Vice Chairman, the authority to manage the land and property of the council including

- I) The granting of easements, wayleaves and licences over council land
- II) Initiating legal action or proceedings against unauthorised encampments or encroachments on council land
- III) Directing the custody of Town Council property and documents in accordance with the provisions of Local Government Act 1972 S226
- IV) Serve requests for information as to ownership occupation and other interests in land for the purposes of any function under their control
- V) Appoint consultants and other professionals to carry out any function and provide any service under their control