

BRADWELL PARISH COUNCIL



SCHEME OF DELEGATION

July 2026

To be read alongside the Standing Orders and Financial Regulations.

1. Purpose of the Scheme

This Scheme of Delegation sets out the **authority delegated by Bradwell Parish Council** to:

- The Proper Officer (Clerk)
- The Responsible Financial Officer (RFO)
- Committees and Sub-Committees
- The Chairman and Vice-Chairman (in limited circumstances)

It ensures lawful, efficient, and transparent decision-making in accordance with s.101 of the Local Government Act 1972.

The Council retains the right to exercise any function delegated under this Scheme.

2. Matters Reserved to Full Council

The following **cannot** be delegated and must be decided by Full Council:

- Setting the **precept**
- Approval of the **annual budget**
- Approval of the **Annual Governance and Accountability Return (AGAR)**
- Adoption or amendment of **Standing Orders, Financial Regulations**, and this Scheme
- Borrowing, investments, and loan applications
- Acquisition or disposal of land or property
- Appointment or dismissal of the Clerk/RFO
- Adoption of policies
- Determination of committee structure and membership
- Co-option of councillors
- Any matter prohibited from delegation by statute

3. Delegation to the Proper Officer (Clerk)

The Clerk is the Council's **Proper Officer** and is authorised to:

3.1 Governance and Administration

- Issue summons and agendas for meetings
- Sign notices, correspondence, and documents on behalf of the Council including the signing of legal deeds for and on behalf of council
- Manage the implementation of Council decisions
- Maintain statutory registers (e.g., interests, assets)
- Manage data protection compliance (UK GDPR / DPA 2018)
- Act as the Council's representative in dealings with external bodies
- Certify copies of documents

3.2 Operational Management

The Clerk may take routine operational decisions relating to:

- Parish maintenance and minor works
- Management of contractors and service providers
- Urgent repairs up to **£500**
- Health and safety compliance
- Website and communications management

3.3 Planning Applications

The Clerk can:

- Respond to planning applications **via email consultation** with councillors when no meeting is scheduled (this must then be minuted at the next council meeting)
- Submit comments where the Council has reached a consensus

3.4 Emergency Delegation

In consultation with the Chairman (or Vice-Chairman if the Chairman is unavailable), the Clerk may take any action necessary to:

- Prevent risk to persons or property
- Ensure continuity of essential Council services
- Meet statutory deadlines

All decisions must be reported to the next Council meeting.

4. Delegation to the Responsible Financial Officer (RFO)

The RFO is authorised to:

- Administer the Council's finances in accordance with Financial Regulations
- Maintain the accounts and financial records
- Prepare the annual budget for Council approval

- Manage payroll, HMRC returns, and pension contributions
- Submit the AGAR for approval
- Manage VAT returns
- Authorise routine expenditure within budget
- Arrange insurance cover and claims

4.1 Payments When a Meeting is adjourned or cancelled

- The RFO may submit payments for approval **via email**
- A minimum of **two councillors** must approve
- Payments must be **ratified at the next meeting**
- An extraordinary meeting must be called if required

5. Delegation to Committees

Committees may exercise the functions set out in their **Terms of Reference**, approved annually by Council.

Unless otherwise stated, committees may:

- Make decisions within their budget
- Manage contracts and services within their remit
- Recommend policies to Council
- Appoint sub-committees

The Chairman and Vice-Chairman are **non-voting ex-officio members** unless appointed as full members.

6. Delegation to Sub-Committees

Sub-committees may exercise only those functions specifically delegated to them by their parent committee.

They may not:

- Incur expenditure outside their allocated budget
- Amend their own Terms of Reference
- Delegate further powers

7. Delegation to the Chairman and Vice-Chairman

The Chairman (or Vice-Chairman in their absence) may:

- Provide guidance to the Clerk on urgent matters
- Approve emergency expenditure up to **£500**
- Act as the Council's spokesperson
- Approve urgent payments with the RFO when a meeting is inquorate.

The Chairman may **not** take decisions reserved to Council.

8. Delegation to Individual Councillors

Individual councillors have **no decision-making authority** unless:

- Formally delegated by Council, and
- The delegation is recorded in the minutes

Councillors may act as lead members for projects but may not commit the Council to expenditure or contracts.

9. Limits of Delegation

Delegated authority **must not** be exercised where:

- The matter is politically sensitive
- The matter is novel or contentious
- The expenditure exceeds the delegated limit
- The decision would conflict with Council policy
- The decision is reserved to Full Council

Where doubt exists, the matter must be referred to Council.

10. Reporting Requirements

All delegated decisions must be:

- Recorded in writing
- Reported to the next Council meeting
- Included in the minutes

Financial decisions must also be included in the **schedule of payments**.

11. Review of the Scheme

This Scheme shall be reviewed:

- Annually as required
- If/when legislation changes