



WEST HANNINGFIELD PARISH COUNCIL

Telephone: 07873 708275
Email: clerk@westhanningfield-pc.gov.uk
Website: www.westhanningfield-pc.gov.uk



DELEGATED POWERS POLICY

Re-adopted: 13th April 2026

1. INTRODUCTION

This Scheme of Delegation sets out the powers delegated by West Hanningfield Parish Council ("the Council") to the Proper Officer (the Clerk).

It should be read in conjunction with the Council's Standing Orders and Financial Regulations.

The purpose of this scheme is to enable the Council to conduct its business efficiently while maintaining appropriate Member oversight, transparency, and accountability.

All decisions taken under delegated authority will be reported to the next available Full Council meeting.

2. LEGAL FRAMEWORK

This scheme is made under Section 101 of the Local Government Act 1972, which permits a local authority to delegate functions to committees or officers, except where expressly prohibited by law.

The Council retains the right to exercise any function it has delegated.

3. GENERAL DELEGATION TO THE CLERK (PROPER OFFICER)

The Clerk is authorised to act on behalf of the Council in respect of day-to-day operational matters.

In cases of urgency, the Clerk may take any reasonable action normally reserved to Full Council where delay would be likely to prejudice the Council's interests or assets.

Where practicable, the Clerk will consult the Chairman or Vice-Chairman before action is taken.

All such actions will be reported to the next Full Council meeting.

4. MATTERS NOT DELEGATED

The following matters may only be decided by Full Council:

- Election of Chairman and Vice-Chairman
 - Approval of the Annual Governance Statement and Accounting Statements (AGAR)
 - Setting the Precept
 - Appointment or dismissal of the Clerk (Proper Officer)
 - Making or revoking byelaws
 - Borrowing money
 - Any matter that legislation requires to be determined by Full Council
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5. FINANCIAL DELEGATION

The Clerk is authorised to:

5.1 Budgeted expenditure

Authorise expenditure already approved in the Council's budget up to **£500 per transaction**.

5.2 Urgent expenditure

In consultation with the Chairman (or Vice-Chairman if unavailable), incur urgent expenditure up to **£500 per transaction** where necessary for:

- emergency repairs
- health and safety risks
- prevention of asset damage or service disruption

5.3 Minor operational expenditure

Authorise routine operational purchases and minor works up to **£500 per transaction**, in line with approved budget headings.

All expenditure must comply with the Council's Financial Regulations.

Any unbudgeted urgent expenditure must be reported to Full Council for retrospective approval.

6. PLANNING MATTERS

The Clerk is authorised to:

- receive and log all planning applications
- circulate applications to Members for consideration
- prepare draft responses for Member input
- submit the Council's response following consultation with:
 - the Chairman, and
 - at least one additional Member where practicable

Where timescales do not permit full consultation, the Clerk may consult the Chairman (or Vice-Chairman) and submit a response based on Member input available at the time.

All planning decisions will be reported to the next Full Council meeting.

7. EMERGENCY POWERS

In an emergency situation, the Clerk is authorised to take any action necessary to protect:

- life
- Council property
- public safety
- essential services

Where possible, the Clerk will consult the Chairman or Vice-Chairman before exercising emergency powers.

All actions taken must be reported to the next Full Council meeting.

8. CONSULTATION AND DECISION MAKING

For the avoidance of doubt:

- consultation with Members may take place by email, telephone, or virtual means
 - where this Scheme and Standing Orders differ, Standing Orders take precedence except where this Scheme specifically delegates operational authority to the Clerk
 - all decisions taken under delegation must be clearly recorded
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9. REPORTING AND TRANSPARENCY

All decisions made under delegated authority will be:

- recorded in writing
- reported to the next Full Council meeting
- published on the Council's website where appropriate

10. REVIEW

This Scheme of Delegation will be reviewed every two years or sooner if required due to legislative or operational changes.