



Barrowby Parish Council

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Scheme of Delegation

Document control

- **Owner:** Full Council
- **Responsible officer:** Clerk / Proper Officer
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- **Version:** 2026.1
- **Review:** Annually or earlier if legislation/guidance changes
- **Next review due:** January-March 2027 at Full Council for formal adoption at Parish Council May 2027

1. Purpose

1.1 This Scheme of Delegation sets out the functions and decisions delegated by Barrowby Parish Council to its officers in order to support the lawful, efficient and continuous administration of the Council's business.

1.2 This Scheme shall be read alongside the Council's Standing Orders, Financial Regulations, approved budget, policies, procedures and relevant legislation.

1.3 This Scheme applies at all times and may be relied upon particularly where a matter is urgent or where normal meeting arrangements are disrupted.

2. General principles

2.1 The Council is responsible for all functions except those lawfully delegated to a committee, sub-committee, officer or employee.

2.2 Delegated authority shall be exercised in accordance with:

- a. the Local Government Act 1972 and all other relevant legislation;
- b. the Council's Standing Orders and Financial Regulations;
- c. the Council's approved budget, policies, procedures and previous resolutions; and
- d. any direction given by the Council.

2.3 Delegation does not remove the Council's overall responsibility for its functions.

2.4 Any matter may be referred by an officer to full Council where the officer considers that the matter is sensitive, contentious, unusual, financially significant, has wider policy implications, or should properly be determined by members.

3. Delegation to the Clerk

3.1 The Clerk is authorised to take all necessary administrative, governance and operational decisions required for the day-to-day management of the Council's business, provided that such decisions:

- a. implement an existing Council decision, policy or agreed course of action;
- b. fall within any relevant approved budget and authorisation limit; or
- c. are necessary to comply with a statutory, contractual, regulatory or administrative deadline.

3.2 This includes authority to:

- a. manage correspondence and issue routine replies on behalf of the Council;
- b. prepare agendas, notices, reports and minutes;
- c. implement Council decisions;
- d. arrange and manage meetings and associated notices and documentation;
- e. instruct routine works, services, repairs and maintenance within approved budgets, contracts and authorisations;
- f. manage records, publication requirements, data protection, information governance and other governance duties;
- g. respond to routine consultations where the Council has already adopted a relevant policy position or given prior direction;
- h. take such administrative action as is necessary to give effect to the Council's decisions; and
- i. take urgent action under section 6 of this Scheme where a matter cannot reasonably be deferred.

4. Delegation to the Responsible Financial Officer

4.1 The Responsible Financial Officer is authorised to carry out the proper administration of the Council's financial affairs in accordance with legislation, the Council's Financial Regulations, the approved budget and relevant Council resolutions.

4.2 This includes authority to:

- a. maintain the Council's accounting records and financial systems;
- b. administer payroll, pension, HMRC and routine financial returns;
- c. manage budget monitoring, bank reconciliations and financial reporting;
- d. manage banking arrangements, cashflow and reserves administration in accordance with Council policy and approved mandates;
- e. process and make payments, transfers and other financial transactions in accordance with the Financial Regulations and approved authorisations;
- f. manage insurance administration, routine renewals and financial deadlines;
- g. prepare information required for internal and external audit and the annual governance and accountability process; and
- h. take such financial and administrative action as is necessary to comply with statutory and regulatory requirements and Council-approved financial processes.

5. Planning and consultation responses

5.1 The Clerk may submit comments on planning applications and other consultations on behalf of the Council where:

- a. the comments reflect a prior resolution of the Council;
- b. the comments reflect an adopted Council policy, the Neighbourhood Plan, or previously agreed consultation principles of the Council; or
- c. the Council is consulted as a statutory consultee and the consultation deadline falls before the next ordinary meeting of the Council, in which case the Clerk may submit comments under delegated authority after consultation with the Chair and Vice-Chair and, where reasonably practicable, with other councillors.

5.2 For the purposes of paragraph 5.1(c):

- a. consultation may take place by email or other usual Council communication method;
- b. draft wording may be prepared by the Clerk or by a councillor authorised or invited to do so, and may then be submitted by the Clerk on behalf of the Council under this Scheme;
- c. the Clerk shall take account of the views expressed by councillors during that consultation; and
- d. the submitted response shall be confined to material planning considerations or other relevant consultation matters and, wherever possible, reflect established Council views and policies.

5.3 The Clerk shall not use this delegated authority to create a new Council policy position on a controversial or significant matter without member input, unless a response is required urgently to protect the Council's interests or to meet a consultation deadline.

5.4 Any response submitted under this section shall be recorded and reported to the next available meeting of the Council.

5.5 Nothing in this section prevents the Council from considering and determining consultation responses at a properly convened meeting where time allows.

6. Urgent decisions

6.1 Where a matter is urgent and cannot reasonably be deferred to the next meeting of the Council or relevant committee, the Clerk may take the necessary decision on behalf of the Council, provided that:

- a. the decision is lawful;

- b. the decision is necessary to protect the Council's interests, assets, services or legal position, or to meet a statutory, regulatory, contractual or operational deadline; and
- c. wherever reasonably practicable, the Clerk first consults the Chair and, in the Chair's absence, the Vice-Chair.

6.2 Where the urgent matter has financial implications, the Clerk shall consult the Responsible Financial Officer where reasonably practicable before the decision is taken.

6.3 Where the urgent matter falls primarily within the Responsible Financial Officer's statutory or operational responsibilities, the Responsible Financial Officer may take the necessary action after consulting the Clerk and the Chair where reasonably practicable.

6.4 Examples of urgent matters may include:

- a. urgent health and safety action;
- b. emergency works, repairs or service failures;
- c. action needed to comply with legal or regulatory deadlines;
- d. urgent staffing or operational matters;
- e. action necessary to maintain essential Council services or business continuity.

7. Limitations on delegation

7.1 Nothing in this Scheme authorises any officer to:

- a. act contrary to legislation;
- b. act contrary to the Council's Standing Orders or Financial Regulations;
- c. incur expenditure outside authorised limits except where expressly permitted by the Financial Regulations or by a specific Council resolution;
- d. determine matters expressly reserved by law to full Council;
- e. amend, suspend or disapply statutory requirements; or
- f. make a new policy decision on behalf of the Council except where temporary immediate action is unavoidable to protect the Council's position pending formal member consideration.

7.2 Matters of major policy, the setting of the precept, borrowing, approval of the annual governance and accountability documents, adoption or amendment of governing policies where reserved to Council, and any other matter reserved by law or by the Council's governing documents shall remain for determination by full Council unless lawful specific delegation has been made. The legal framework for parish council annual meetings also remains governed by Schedule 12 of the 1972 Act.

8. Clerk absence and role of the Assistant Clerk

8.1 In the temporary absence, incapacity or unavailability of the Clerk, the delegated authority given to the Clerk under this Scheme may be exercised by the Assistant Clerk, **to the extent authorised by their appointment and the Council's resolutions**, and subject to the same limits, conditions and reporting requirements.

8.2 The Assistant Clerk does not by virtue of this clause automatically assume the functions of the Responsible Financial Officer unless separately authorised by the Council, the Financial Regulations, the banking mandate and any relevant Council resolution.

8.3 If both the Clerk and Assistant Clerk are unavailable, urgent matters shall be dealt with through such lawful interim arrangements as the Council has approved, or otherwise referred to full Council where reasonably practicable.

8.4 If the Responsible Financial Officer is unavailable, financial functions shall be carried out only by a person properly authorised by the Council and in accordance with the Financial Regulations, banking mandate and any relevant Council resolution.

9. Consultation

9.1 Wherever reasonably practicable, the Clerk shall consult the Chair on urgent matters and, where appropriate, the Vice-Chair and any relevant committee chair.

9.2 Consultation with members under this Scheme does not transfer the decision to an individual councillor and does not remove the officer's responsibility for the decision made under delegated powers.

10. Record and reporting

10.1 Any decision taken under delegated authority shall be recorded in writing as soon as reasonably practicable.

10.2 The written record shall include:

- a. the date;
- b. the matter decided;
- c. the reason for urgency where applicable;
- d. the power or delegated authority relied upon;
- e. any consultation undertaken; and
- f. any expenditure authorised.

10.3 Decisions taken under delegated authority shall be reported to the next meeting of the Council, subject to any lawful confidentiality requirements.

11. Business continuity

11.1 This Scheme may be relied upon where the Council is affected by an emergency, incident, staffing shortage, failure of premises or systems, severe weather, public health event, or other disruption affecting normal operations.

11.2 The existence of such circumstances does not remove the need to comply with legislation or the Council's governing documents.

12. Review

12.1 This Scheme of Delegation shall be reviewed by the Council at least annually and sooner if required by any change in legislation, guidance or the Council's governance arrangements.