

The Orchards and Margaret Marsh Parish Council (Group)

SCHEME OF DELEGATION, which forms part of the Standing Orders formally approved April 2020

1. Introduction

The Parish Council recognises that urgent decisions may arise between scheduled meetings and, therefore, has designed this Scheme of Delegation to ensure that the Parish Council is managed effectively.

2. Principles of Delegation

Section 101 of the Local Government Act 1972 provides:

- a) That a Council may delegate its powers (except those that may not be delegated by law) to a committee or an officer.
- b) A Committee may delegate its powers to an officer.
- c) The delegating body may exercise powers that have been delegated.
- d) Any delegation to the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law.
- e) In an emergency, the Proper Officer is empowered to carry out any function of the Council

3. Authority to Act

This Scheme of Delegation applies to Parish Councillors and the Clerk. While the Parish Council creates, implements, monitors and reviews this Scheme of Delegation, the Clerk is also responsible for implementing its requirements. Recorded minutes of decisions will be retained in line with usual practice.

3.1 The Parish Council agrees to arrangements being established to deal with any urgent business arising between meetings where they could not be:

- a) Foreseen at the preceding meeting
- b) Arise out of request for further information
- c) Are time sensitive
- d) Are outside the general or specific authority delegated to the Clerk

3.2 Any decision will require at least two members to be consulted, including the Chairman.

3.3 Decisions that may be taken outside of Parish Council meetings will not require a deviation from policy. Decisions taken by the Parish Council should not place any aspect of the Parish Council at considerable risk.

3.4 The following procedure should be used in the event that Parish Council decisions are required when a Parish Council meeting cannot be held.

3.5 The Clerk will refer the matter to the Chairman using methods that can be evidenced e.g. email or letter.

3.6 The Chairman will make contact with a minimum of one other Parish Councillor using methods that can be evidenced e.g. email or letter to discuss the issue/s.

3.7 The Chairman will relay the outcome of their deliberations to the members.

3.8 The Clerk will action the decision and inform the Parish Councillors of the outcome.

- 3.9 The Clerk will provide evidence of the process to all members of the Parish Council.
- 3.10 The Clerk will not seek to influence a decision from the Chairman or the other Parish Councillors, but shall put the issues clearly, succinctly and impartially so as not to prejudice any decision being made.
- 3.11 Any decision taken must be reported to the Parish Council at its next meeting and the decision formally ratified.

4. Review

The next review date is May 2026.

5. Adoption

This policy was reviewed and adopted by The Orchards and Margaret Marsh Parish Council at the meeting held on Thursday, 20th March 2025.

Signed: Cllr G Stokes, Chair
Chair, The Orchards' and Margaret Marsh Parish Council

Date: 20th March 2025

6. Sources and References

Local Government Act 1972. S101

7. Revision History

No	Change Type	Updated By	Change Summary	Approval Date
1	Original	OMMPC	Created	4/2020
2	Review	OMMPC	Format update	20/3/2025