



Sherborne St. John Parish Council

Scheme of Delegation Policy

This Scheme of Delegation Policy sets out the Terms of Reference by which the discharge of Council functions (under Section 101 of the Local Government Act 1972) to the Clerk (who is the Proper Officer and Responsible Financial Officer) will operate.

Signed: Richard Morgan
(Councillor and Chair)

Signed: Melanie Camilleri
(Proper Officer and Responsible Financial Office)

Date: Adopted by Sherborne St. John Parish Council at an Ordinary Meeting on 28 February 2024.

Arrangements for discharge of functions

Under Section 101 of the Local Government Act 1972 a local authority may arrange for the discharge of any of their functions to the Clerk (who is the Proper Officer and Responsible Financial Officer).

This Scheme of Delegation Policy sets out the Terms of Reference by which the discharge of functions will operate.

Background

In accordance with the Local Government Act 1972, Schedule 12 Part II, a parish council shall in every year hold, in addition to the annual meeting, such other meetings (not less than three) as they may determine.

Sherborne St. John Parish Council usually hold 11 meetings in every year (monthly with a recess in August).

As there are only five Member seats for Sherborne St. John Parish Council, the frequency of convening (ability to be quorate) in 2024 has been significantly reduced for the following reasons:-

- At an Ordinary Meeting held on 13 December 2023 (Minute 130/23), in accordance with s.85 Local Government Act 1972, Cllr Rawley was granted a leave of absence for up to 12 months for health reasons.
- The Chair, Cllr Richard Morgan, will periodically be unavailable to attend physical meetings as they would expose him to health risks before undergoing planned hospital treatment.
- Cllr Carl Davies will periodically be unavailable to attend physical meetings due to work commitments.

Scope of the Policy

It shall be exercised in compliance with the Council's:-

- Standing Orders and other adopted policies of the Council
- Financial Regulations
- Approved budgets
- All statutory common law and contractual requirements

The following items may not be delegated to the Clerk:-

- Appoint the Chair and Vice-Chair in May each year
- Sign off the Governance Statement by 30th June each year
- Set the Precept
- Borrow money
- Consider any matter required by law to be considered by the Council.

Activation of the Policy

A **minimum of three** Members (one of which must be either the Chair or Vice-Chair) must request its activation. Activation is resolved in a meeting of the Sherborne St. John Parish Council.

Deactivation of the Policy

A **minimum of three** Members (one of which must be either the Chair or Vice-Chair) must request its deactivation. Deactivation is resolved in a meeting of the Sherborne St. John Parish Council.

Action on decisions

The Clerk (who is the Proper Officer and Responsible Financial Officer) is empowered to take any and all decisions that would normally be taken by Full Council, having consulted a **minimum of three** Members (one of which must be either the Chair or Vice-Chair). Consultation may be by email or by telephone or by virtual meeting, followed by a confirmation email.

Planning Matters

Planning applications will be received by the Clerk and responses determined by the Clerk following consultation with a **minimum of three** Members.

Record keeping and Reporting

The Openness of Local Government Bodies Regulations 2014 require a written record to be kept of certain decisions made by an officer of a Council acting under delegated powers. The Clerk will keep a log of: -

- a record of the decision taken along with reasons for the decision.
- the date the decision was taken.
- details of alternative options, if any, considered and rejected.

Decisions made under this Scheme of Delegation will be reported to, ratified, and recorded in the Minutes of the next Sherborne St. John Parish Council meeting.