Nether Stowey Parish Council
Scheme of Delegation

This Scheme of Delegation authorises the Clerk to the Council (including any duly appointed Locum Clerk), acting as Proper Officer and Responsible Financial Officer to act on behalf of the Council in the day-to-day administration of the Council's business, subject to the Council's policies, standing orders, financial regulations, and any specific resolutions of the Council.

1. Legal Context

Section 101 of the Local Government Act 1972 provides:

- That a Council may delegate its powers (except those incapable of delegation) to a committee; or an officer.
- A Committee may delegate its powers to an officer.
- The delegating body may exercise powers that have been delegated.

2. Proper Officer – Duties and Powers

The Clerk is the Proper Officer of the Council and is authorised to:

- Receive declarations of acceptance of office
- Receive and record notices disclosing interests at meetings
- Receive and retain plans and documents
- Sign notices, agreements, licences, or other documents on behalf of the Council where authorised
- Receive copies of by-laws made by another local authority
- Certify copies of by-laws made by the Council
- Sign and issue summonses to attend meetings of the Council
- Keep proper records of all Council meetings
- Notify the Returning Officer of any casual vacancies and liaise regarding the conduct of elections

In addition, the Clerk has delegated authority to undertake the following on behalf of the Council:

- Day-to-day administration of Council services, including routine inspection and control
- Manage staff recruitment, performance and discipline. Authorise adjustments to contracts of employment and job descriptions to meet the needs of the Council.
- Deal with press and public relations on behalf of the Council, in consultation with the Chairman (or, in his absence, the Vice-Chairman)
- Liaison with Somerset Council and Parish Council contractors on clear, uncontentious matters raised by members of the public or councillors, without prior referral to a Council agenda
- Management of routine cemetery matters on behalf of the Council. This includes responding to public enquiries, the administration of burial and memorial applications, the sale and documentation of Exclusive Rights of Burial (EROB), and the maintenance of accurate burial and EROB records, and ensuring compliance with cemetery regulations.

Adopted by Council 9 November 2026, minute no 6596

- Decisions on whether items are appropriate for publication on the Council's website and notice boards

3. Responsible Financial Officer – Duties and Powers

The Clerk shall be the Responsible Financial Officer (RFO) to the Council and shall be responsible for the Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time. The RFO is authorised to:

- Incur routine expenditure within approved budgets
- make routine payments due under contract or invoice, subject to Financial Regulations. Invoices will be provided to the Councillors authorised to undertake online bank authorisation. All payments made under this process shall be included on the expenditure list for the next meeting.
- deal with banking and payroll administration
- oversee budget monitoring and financial reporting
- arrange insurance, subscriptions, and statutory payments
- Emergency or necessary expenditure up to £2,000 outside of the agreed budget in cases of serious risk to the delivery of Council services or to public safety on Council land or premises.

4. Urgent Matters

In cases where emergency action is needed and where it is impracticable to convene a meeting of the Council or appropriate committee, authority is delegated to the Clerk, in consultation with the Chairman or the Vice Chairman and the relevant Committee Chair (where appropriate), to take such action as is necessary to ensure public safety and/or protect the interests of the Council.

Any action taken under this delegation must be proportionate, lawful, and reported to the next meeting of the Council together with the reasons for the decision and any expenditure incurred.

5. National or Local Emergency / Lockdown

In the event of a national or local emergency, or circumstances affecting the Council's ability to operate normally, the current Business Continuity Policy shall be invoked

All actions taken under this section shall be notified to Councillors by email as soon as practicable and summarised at the next meeting of the Council.