



BURNHAM MARKET PARISH COUNCIL

Delegated Powers Policy and Register

Part 1. The Delegated Powers Policy

1. Council Responsibility
 - 1.1. The Parish Council retains full authority for all decisions, transactions, and actions unless explicitly delegated below.
 - 1.2. Decisions made under a delegated authority must be ratified by a quorate council at the next available council meeting
 2. Delegation Framework
 - 2.1. Delegated powers may only be exercised by the Clerk in their capacity as Proper Officer and/or Responsible Financial Officer (RFO), and by committees as specified in their Terms of Reference.
 - 2.2. No individual councillor (including the Chair) may exercise any delegated power.
 - 2.3. All delegated actions must comply with the Council's Standing Orders, Financial Regulations, and any resolutions or directions given by the Council from time to time.
 3. Delegated Powers Register
 - 3.1. The **Delegated Authority Register** is a **living document**, maintained and updated by the Clerk, which outlines the specific responsibilities, powers, and limits granted by the Council to the Clerk, RFO, and committees.
 - 3.2. The Register may be **amended, added to, or removed from** by a resolution of the full Council, provided that statutory resolution requirements are met.
 - 3.3. Delegated powers granted to **committees** will be specified in their **Terms of Reference** and included in this Register.
 - 3.4. In-year amendments will be dated in the register until the next AGM where all powers are reviewed and adopted.
 - 3.5. All delegated action of the Parish Clerk as Proper Officer / RFO shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.
 4. Responsible Financial Officer
 - 4.1. The Clerk to the Parish Council will act as the Council's Responsible Financial Officer in all cases where any legislation requires the designation of such an Officer.
 - 4.2. The Clerk to the Council and will be responsible for the Parish Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.
 5. Policy Review
 - 5.1. This Scheme of Delegation is effective from the adoption date and will be reviewed annually
 - 5.2. Amendments to the Delegated Powers Register may be made at any time by resolution of the Council where statutory requirements for resolutions are met.
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Part 2. The Delegated Authority Schedule

This **Delegated Authority Schedule** outlines the specific powers delegated by the Council. It is a living document and can be updated by resolution of the full Council.

1. **Delegated Authority to the Clerk in their Role as Proper Officer:** The Clerk is authorised to:
 - 1.1. Act as the Council's "Proper Officer" in all cases where any legislation requires the appointment of such an Officer and to ensure the proper discharge of its functions.
 - 1.2. To receive declarations of acceptance of office.
 - 1.3. To receive and record notices disclosing personal and prejudicial interests.
 - 1.4. To grant a dispensation to a councillor or non-councillor with voting rights at a meeting at which a matter is being considered in which he/she has a disclosable pecuniary interest.
 - 1.5. To receive and retain plans and documents.
 - 1.6. To sign notices or other documents on behalf of the Council.
 - 1.7. To sign on behalf of the Council any document necessary to enable Council decisions to be enforced
 - 1.8. To receive copies of by-laws made by the Principal Authority.
 - 1.9. To certify copies of by-laws made by the Council.
 - 1.10. To sign summonses to attend meetings of the Council.
 - 1.11. To act as the Council's designated officer for purposes of the Freedom of Information Act 2000 and the General Data Protection Regulations 2018.
 - 1.12. To act on matters relating to Health and Safety.
 - 1.13. To act as the Council's designated officer for the determining of the purposes and the means of the processing of personal data under the General Data Protection Regulations (GDPR)
1. **Delegated Authority to the Clerk in their Role as Responsible Financial Officer (RFO):** The Clerk (in their role as **RFO**) is authorised to:
 - 1.1. **Maintain the Council's accounting records** and procedures in accordance with the Accounts and Audit Regulations in force at any given time.
 - 1.2. **Prepare and submit internal and external audit documentation.**
 - 1.3. **Make payments and incur expenditure** in the following circumstances only with list of all payments to be submitted to the next appropriate Council meeting.
 - 1.3.1. **Regular payments:** Payments (e.g. salaries, utility charges, maintenance contracts) agreed at a previous Council meeting for the year.
 - 1.3.1.1. The RFO must submit an annual schedule of these payments at the AGM for ratification.
 - 1.3.2. **Submitted and approved invoices:** Invoices that have been submitted to the Council, duly noted in the minutes, and formally approved.

- 1.3.3. **Approved quotes for works:** Works for which the Council has received, noted, and approved a quote, provided the final invoice does not exceed the approved amount.
- 1.3.4. **Budgeted projects or works:** Expenditure on projects or work for which the Council has approved a budget, up to **£1,000**, in conjunction with the Chair of Council.
- 1.3.5. **Avoiding interest charges:** Payments necessary to avoid interest under the Late Payment of Commercial Debts (Interest) Act 1998, where the due date falls before the next scheduled Council meeting, and the Clerk/RFO certifies there is no dispute or other reason to delay.
- 1.3.6. **Additional audit work:** Approval of extra audit work (up to **£250**) as required by the External Auditor, without further Council approval. (in excess of this sum the Clerk/RFO shall act after consultation with the Chairman and Vice-Chairman of the Council).
- 1.3.7. **Emergency Works up to £500**
- 1.4. **Invest Council funds** in line with the Council's Investment Policy.
- 1.5. **Apply for funding** on behalf of the Council for already approved projects, with applications reported to the next meeting; such applications do not obligate the Council to proceed. - MARCH 2025
- 1.6. **In months where there is no full Council meeting**, the Clerk/RFO is authorised to submit the monthly financial report, including the payment approvals list, to the Finance Group, and to execute payments as authorised by the Finance Group following signed authority. These payments must be ratified at the next full Council meeting. – March 2025