



# Harden Village Council

## Scheme of Delegation

### **Introduction**

1. 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 to an officer.
  - A committee may delegate its powers to an officer.
2. Powers may not be delegated to an individual Councillor.
3. The delegating body may exercise powers that have been delegated.
4. The Clerk is the only paid officer. There is no other specifically identified individual who can be delegated to act on their behalf in their absence or in the event that the Clerk is an interested party.
5. Any delegation shall be exercised in compliance with Standing Orders, any other policies or conditions imposed by the Council and with the law.
6. In making any decision, regard shall be had to the priorities, aims and objectives of the Council.
7. Where any action is contemplated under delegated powers which is likely to have a significant impact in a particular area, where possible Members should be consulted and appropriate legal, financial and other specialist advice obtained, if deemed necessary, before action is taken.

### **Delegations**

8. The powers and duties set out in this scheme are delegated to the Clerk of Harden Village Council. The Clerk is also the Council's Responsible Financial Officer and the Proper Officer and is responsible for the management of the organisation.
9. All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.
10. The Clerk may do anything pursuant to the delegated power or duty which it would be lawful for the Council to do, including anything reasonably implied or incidental to that power or duty.
11. In an emergency the Clerk is authorised and empowered to carry out any function of the Council.
12. When exercising delegated powers during an emergency the Clerk will maintain communications with Members of the Council, ensuring Members are kept informed about steps being undertaken and consulted via email or text as appropriate.

## **General Matters**

13. The Clerk is hereby authorised to: -
- Sign, or where appropriate, have sealed on behalf of the Council, any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Council.
  - Take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
  - Institute and appear in any legal proceedings authorised by the Council.
  - To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Harden).
  - Alter the date or time of a Council Committee, Working Group, Panel or Task Group meeting but, before doing so, shall consult the Chair of the Committee or Task Group concerned about the need for the change and about convenient alternative dates and times.
  - Manage the Council's activities including the following: -
    - Events and meetings
    - Neighbourhood planning
    - Allotments
    - Services or contracts agreed with third party suppliers
    - Website and social media
    - Media and corporate issues
  - Deal with day to day matters relating to routine administration and management of the Council.
  - To be responsible for deciding and submitting requests to statutory authorities such as Bradford Council and the Environment Agency for items such as potholes, overhanging branches and resident queries.
  - To act as the Council's designated Officer for the purposes of the Freedom of Information Act and the Data Protection Act.
  - To respond to consultations on planning applications and licensing applications subject to comments by Members of the Council.
  - To respond to complaints made under the Council's complaints procedure and to make such settlement of such complaints as are considered justified.
  - To manage, monitor and review the Council's internal control procedures.
  - To manage, monitor and review the Council's Corporate Risk Management Strategy.
14. Delegations in respect of financial matters are set out in the Council's Standing Orders and Financial Regulations.