

# **Gawcott with Lenborough Parish Council**

## **Scheme of Delegation**

### **Section 101 Delegation of Powers**

The Scheme of Delegation (Section 101, Local Government Act 1972) provides for delegating authority to the Proper Officer (Clerk) for making decisions on behalf of the Council as and when appropriate and under such terms as the Council may decide.

### **Delegation of Power**

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.

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.

The following matters may not be delegated to the Proper Officer:

- To appoint the Chairman and Vice-Chairman (in May each year)
- To approve the annual accounts
- The signing of the Annual Governance Statement (by 30<sup>th</sup> June each year)
- To approve the budget
- To set the precept
- To make byelaws
- To borrow money
- To consider any matter required by law to be considered by Council.

### **To the Proper Officer**

The Council's Scheme of Delegation authorises the Clerk to the Council to act with delegated authority in the specific circumstances detailed:

### **To take action:**

1. To take action on any issue where such decisions cannot reasonably be deferred until the next Parish Council meeting. Before taking action the Clerk will consult with a minimum of two Councillors. Consultation may be by email, telephone or a virtual meeting, followed by a confirmation email.
2. If circumstances do not permit the input of a least two councillors, the Clerk would normally be expected to consult the Chairman.

### **Financial thresholds:**

3. To authorise expenditure on items where the Council has previously approved the budget to a maximum of £500 per transaction having consulted a minimum of two Councillors and the Chairman, or to a higher level if the Council has agreed and minuted the expenditure at a prior meeting. For the avoidance of doubt, this includes any payments that will be overdue before the next scheduled meeting or where discounts may be lost to the Council; to include normal salaries and all items specifically budgeted for, contracted for or expenditure previously agreed by Council at a meeting.

4. To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work or essential project which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500 per transaction, having consulted the Chairman.
5. To take any action regarding minor repairs or purchases (up to a cost of £500 per transaction) having consulted the Chairman.

**Planning matters:**

6. The Clerk will endeavour to obtain extensions to planning application consultation deadlines where necessary.
7. Planning applications will be received by the Clerk and responses determined by the Clerk following consultation with all Members.

**Delegation limitations, record keeping and reporting:**

8. Records will be kept demonstrating a clear trail of decisions made.
9. All decisions made under delegation will be reported to and recorded in the minutes of the next Council meeting.
10. Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Council from time to time and this Scheme of Delegation, and where applicable any other rules/regulations and legislation.

Adopted at 13<sup>th</sup> July 2023 meeting