

# LITTLE OAKLEY PARISH COUNCIL

## SCHEME OF DELEGATION

Adopted 13<sup>th</sup> May 2026 (Minute Number 26/013)

Next Review Date May 2027

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### 1. Introduction

Under Section 101 of the Local Government Act 1972, parish councils may delegate a wide range of administrative, financial, and operational powers to the Parish Clerk, allowing the council to act with reasonable speed and efficiency.

Delegations may be enacted for day-to-day business, in an emergency or, where specified, in between meetings.

The Parish Clerk is the Proper Officer and the Council's Responsible Financial Officer.

Key areas of authority that can be delegated to a Parish Clerk include:

- **Financial Management (RFO Duties)**
- **Administrative and "Proper Officer" Duties**
- **Property and Asset Management**
- **Planning and Consultations**
- **Emergency Powers**

### 2. Extent of Delegation

All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.

The Parish Clerk will exercise these powers in accordance with

- a) approved budgets
- b) the Council's Standing Orders and Financial Regulations
- c) the adopted policies of the Council
- d) all statutory common law and contractual requirements

### 3. Financial Management

The Parish Clerk is authorised as follows:

- To be the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972.
- To operate the Council's banking arrangements.
- To incur expenditure up to a maximum of £1000 (excluding VAT) on any item for which provision is made in the appropriate revenue budget, provided that any action taken

complies with any legislative provisions and the requirements of the Council's Constitution. In cases of serious risk to the delivery of council services or to public safety on council land or premises, the clerk may authorise expenditure of up to £2,500 (excluding VAT).

- To pay all accounts properly incurred including subscriptions to organisations to which the Council belongs.
- To manage, monitor and review the Councils Risk Management arrangements and Financial Risk Assessment.
- To negotiate settlements in connection with claims made by and against the council, where appropriate, in consultation with the Council's insurers.
- To incur expenditure on capital schemes within the Council's approved capital programme.
- To enter into leasing and contract hire agreements for the acquisition of vehicles, machinery and equipment on such terms as are considered appropriate if necessary, following council approval.
- To compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
- To carry out virement of sums between budget headings in accordance with the Council's Financial Regulations.
- To manage investments and raise and repay loans as appropriate and obtain such other sources of credit as are required in accordance with the Financial Regulations, following council approval.
- To authorise action for the recovery of debts.
- To maintain a Register of Assets and Inventory of Equipment.

#### **4. Administrative and "Proper Officer" Duties**

The Parish Clerk is authorised:

- To take any proceedings or other steps as may be necessary to enforce and recover any debt due or obligation owing to the Council.
- To cancel or postpone Council or committee or meetings in the interest of Public, the Parish Clerk's or Councillors' safety.
- To act as the Council's designated officer for the purposes of the Freedom of Information Act/General Data Protection Regulations /Health & Safety.
- To respond to Freedom of Information or Subject Access requests in accordance with current legislation and guidance.
- To manage, monitor and review the Councils Internal control procedures.
- To make all necessary arrangements for the provision of an internal and external audit service for the Council.

- To determine the Parish Council's insurance requirements on their behalf.

## **5. Property and Asset Management**

The Parish Clerk is authorised to:

- Manage council land, property, and assets (e.g. bus shelters, noticeboards and play areas).
- Enter into agreements or contracts with tradespeople for the execution of works or services to the council (e.g. website hosting or grounds maintenance).
- Agree to the terms of licenses or leases for council property, often in consultation with legal advisors.

## **6. Planning and Consultations**

The Parish Clerk is authorised to:

- Respond to planning applications, particularly when deadlines fall before the next meeting, in consultation with councillors.

## **7. Emergency Powers**

The Parish Clerk is authorised to:

- Authorising immediate repairs or emergency work to council property/assets up to £2,500 (excluding VAT) whether or not there is any budget for such expenditure.
- Responding to consultations on behalf of the council.
- The Parish Clerk is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported on the Parish Council website and to the next meeting of the Council. The Chairman is to be consulted before any such action is taken.

## **8. Limitations of Delegations**

The Parish Clerk cannot be delegated the following:

- Setting the Precept (council tax requirement).
- Borrowing money.
- Approving the annual accounts or governance statement.
- Making, amending, or revoking Standing Orders or Bylaws.
- Appointing the Chair or filling casual (councillor) vacancies.

## **9. Review**

These delegations will be reviewed periodically by the Council.