

FOVANT PARISH COUNCIL

Policy: Revised scheme of
delegation

Ratification Date: 24.07.2024

For review 24.07.2025

Terms of reference for 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 officer.
- The committee may delegate its powers to an officer.
- The delegating body may exercise powers that have been delegated.
- S101 requires formally agreed terms of reference by the council agreed at a full parish meeting.

The Parish councils scheme of delegation authorises the proper officer/Clerk to act with delegated authority in the specific circumstances detailed within this policy. Any delegation to the proper officer/clerk shall be exercised in compliance with the Councils standing orders and other policies or conditions imposed by the Council and within the law.

Terms of the delegation

1. To take action on any issue of such urgency that it cannot wait until the next full council meeting. The clerk must first consult the chairman or in their absence the vice chairman, and obtain their agreement to the action and draft a written note of the issue and action taken.
2. To incur expenditure on behalf of the council which is necessary to carry out a repair, purchase, replacement or other work which is of such urgency that it must be acted on at once (particularly where there are concerns about health and safety), regardless to whether there any budgetary provision for the expenditure. This is subject to a limit of £600.
3. To report any such action if necessary to any relevant outside bodies.
4. To take a decision on hours needed in excess of core hours to enable ongoing projects to be processed or to deal with exceptional circumstances including giving aid to residents in local or more widespread emergencies. This is subject to a limit of 15 hours per month without prior permission from the chair or vice-chair.
5. To report all such actions in writing to the next council meeting.
6. The terms must be reviewed at the appointment of a different proper officer/Clerk