



## **AYLESHAM PARISH COUNCIL**

### **S101 Delegation of Powers**

The Scheme of Delegation (s101 of the 1972 LGA), provides for delegating authority to the Parish Clerk/Responsible Finance Officer for making decision on behalf of the Council as and when appropriate. KALC has said that it is important that Local Councils ensure that they have an adequate Section 101 1972 LGA delegated authority in place. S101 requires formally Terms of Reference by the Council. Decisions would then require the input of at least 3 Councillors. It needs to be based in Terms of Reference (a sheet of A4 rules – see Scheme of Delegation below) that sets out the key themes of the delegation and the financial thresholds that apply.

KALC has recommended at the Terms of Reference should be broad and the financial thresholds on the generous side that reflect the likely demands. This model sees the Chief Executive Officer/RFO taking on the executive role; whilst Council, if and when it can meet, becomes more strategic in outlook around policy.

#### **Delegation of Power**

To the Proper Officer and Responsible Finance Officer LGA 1972 s101

The Council's Scheme of Delegation authorises the Chief Executive Officer/Responsible Finance Officer or Deputy Officer to act with delegated authority in the specific circumstances detailed:

To take action:

- To take action on any issue that cannot wait until the next Parish Council meeting.
- The Chief Executive Officer/Deputy Officer will address any need/resolution to Councillors by email.
- Action taken should be done with the input of at least three Councillors.

#### **Financial Thresholds**

- To authorise expenditure on items where the Council within a budget approved by the Council has agreed the expenditure.
- To incur expenditure on behalf of the Council, which is necessary for 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 £5,000.
- To take any action regarding minor repairs (up to a cost of £1,500) and to report minor matters to the relevant authority.

## Record Keeping

- Record keeping and the maintenance of a solid trail (particularly around decision making in any form) should be retained in writing, reviewed and certified to ensure good documentary evidence. This is particularly important in the case of an s101 delegated authority.

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,

and

- Reporting back to Full Council – shall be at the next available Council meeting.

- End of Policy -

Chair Signature	Print Name	Date
CEO Signature	Print Name	Date

<b>Date of policy adoption</b>	August 2021
<b>Review Date</b>	May 2022
<b>Review Date</b>	May 2023
<b>Review Due</b>	May 2024
<b>Review Due</b>	May 2025
<b>Next Review Date</b>	May 2026