



Temporary Scheme of Delegation 13/01/2022

Revised and adopted 13th January 2022 – replaces Emergency Scheme of Delegation document dated 24th June 2021.

AUTHORITY

Section 101 of the Local Government Act 1972 – Arrangements for discharge of functions (except those excluded) by local authorities – allows a local authority to arrange for the discharge of any of their functions:

- a) By a committee, a sub-committee or an officer of the authority; or
- b) By any other local authority.

Any delegation to a Committee or 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.

Recommendations from Council and others

Where officers are contemplating any action under delegated powers which is likely to have a significant impact in a particular area, they should also consult the Council, and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

As a temporary measure, to allow for effective decision making whilst COVID-19 restrictions and considerations are in place, the Proper Officer may be empowered to take any and all decisions recommended to them by the Full Council.

This empowerment does not affect the delegations already in place via Standing Orders or Financial Regulations.

The Proper Officer may not take additional decisions that would normally be taken by a Committee or Full Council unless that Committee or Full Council has met in a meeting suitably convened under the requirements of the Local Government Act 1972, and made available to the public to view (where not covered by confidentiality) and expressly agreed for that decision to be enacted via this temporary delegation.

Exclusion list includes:

- To adopt and change the Standing Orders.
- To approve and adopt a Budget.
- To determine the Council's objectives.
- To appoint the Chair and Vice-Chair, Committee Chairs and Vice-Chairs.

- To agree and/or amend the terms of reference for Committees, deciding on their composition and making appointments to them.
- To set the Precept.
- To appoint staff.
- To make byelaws.
- To borrow money.
- To approve unplanned and/or unbudgeted expenditure exceeding £500 delegated authority.
- To consider any matter required by law to be considered by full Council.

Temporary Scheme of Delegation

The Parish Council's Temporary Scheme of Delegation authorises the Proper Officer to act with delegated authority in the specific circumstances detailed and outside that detailed within the job description, from the period starting 13th January 2022 to remove the need to meet in person if COVID-19 restrictions are in place or the Council feels it is not safe to do so, or until virtual meetings are declared lawful. At the first ordinary meeting of the full Council the Temporary Scheme of Delegation will be reviewed.

1. Finances – as Responsible Financial Officer

- To take action on any issue of such urgency, that it cannot wait until the next ordinary Council meeting. If circumstances permit, the Clerk would normally be expected to consult the Chair, and/or Vice Chair (if the Chair is unavailable), and committee or working group Chair, and take their views into account.
- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such 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.
- Where the costs incurred at b. above would exceed £500, to obtain agreement from the Chair and/or Vice Chair (if the Chair is unavailable), and any relevant committee or working group Chair for the additional expenditure up to a total value of £1500 and thereafter to obtain agreement from a majority of the Council.

2. General Matters – Proper Officer

The Proper Officer is authorised:

- To sign, or where appropriate, have sealed on behalf of the Parish 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 Parish Council.
- To alter the date or time of a Council (or committee or working group) meeting but, before doing so, to consult the Chair of the Council (or committee or working group concerned) about the need for the change and about convenient alternative dates and times.
- To decide arrangements for the opening and closure of the parish office in consultation with the Chair.
- To manage all day to day matters for the Council's current services, including the following:
 - Open spaces and amenity areas
 - Sports pavilions
- To act as the Council's designated officer for the purposes of the Data Protection Act 2018.
- To respond to complaints made under the Council's Complaints procedure. g. To manage, monitor and review the Council's internal control procedures.

3. Delegated Powers regarding Planning Applications

The Parish Council and proper officer may meet informally via Zoom (with an agenda and full access for members of the public to attend) to debate applications. The Proper Officer will compile recommendations as a result of those debates, to be issued to Planning Case Officers in the usual

way, but noting that the submission is under this Scheme of Delegation.

4. Delegation – Limitations

- a. All decisions taken under delegated authority will be in accordance with the Council's Standing Orders and Financial regulations and this Temporary Scheme of Delegation, and where applicable any other rules/regulations and legislation, and relevant Council policies. All decisions will be reported to the first appropriate Council meeting.
- b. The Council may delegate the power to make individual decisions on individual items to the Proper Officer/Responsible Financial Officer as and when appropriate.

5. Objectivity and Integrity in Decision Making

- The Proper Officer shall maintain a professional detachment from specific views expressed by individual members of the Council or in the community.
- The Proper Officer will respect the legal framework and democratic processes within which councils operate and advise the Council accordingly.
- The Proper Officer will exercise discretion and neutrality and will carry out independent assessments of problems and solutions using professional, objective consideration.

Prepared by the Parish Clerk & RFO
January 2022