

Scheme of Delegation

1. Introduction

The Local Government Act 1972 allows for Whitbourne Parish Council to delegate to an Officer or Committee, but not individual members. The wording of this Scheme of Delegation reflects the law and is deemed to be a part of the Standing Orders of the Council.

2. Scheme of Delegation to the Clerk

Whitbourne Parish Council hereby delegates authority to the Clerk in consultation with the Chairman and/or Vice Chairman to take any actions necessary with associated expenditure to protect the interests of the community and ensure council business continuity, informed by consultation with the members of the Council. This Scheme of Delegation will be reviewed on a regular basis.

- 2.1. This Scheme of Delegation authorises the clerk to take decisions on behalf of Whitbourne Parish Council instead of the elected members. It is important that it is only used when a physical council meeting is either inappropriate, unsafe or impossible.
- 2.2. The Clerk chooses how to consult with members but any meeting either physically or virtually must not mirror a council meeting. It can also include written consultation and face to face meetings i.e. site visits.
- 2.3. A consultation informs the clerk on how to act on behalf of the Council. It can include consultation with members of the public in a similar way.
- 2.4. The clerk may wish to organise a regular catch up with members to share business and gather views and that can take place virtually.

This Scheme of Delegation will support Whitbourne Parish Council during business but must not be used as a way of avoiding holding Council meetings. The six-month rule continues to apply, and Whitbourne Parish Council will need to meet at least once within this period to avoid members losing their seat.

The Openness of Local Government Bodies Regulations 2014 s7 requires Whitbourne Parish Council to keep a record of any decisions made under delegation, together with the relevant paperwork.

3. What can and cannot be dealt with under this Scheme of Delegation?

This Scheme of Delegation authorises the Clerk to:

- 3.1. Make day to day decisions
- 3.2. Authorise budgeted expenditure
- 3.3. Respond to consultations on behalf of the Council
- 3.4. Continue to deliver projects
- 3.5. Respond to planning consultations
- 3.6. Work with outside partners and public bodies for the benefit of the Parish

Whitbourne Parish Council

- 3.7. Anything urgent until such time as an extra ordinary meeting of the council can be called.

The following items will require a Whitbourne Parish Council meeting as they are not covered by this Scheme of Delegation:

- 3.8. Co-option of councillors
- 3.9. Election of Chair and Vice Chair
- 3.10. Appointment of members to committees and other statutory roles
- 3.11. Signing the AGAR annual return
- 3.12. Setting the budget and precept
- 3.13. Making permanent changes to council policies and governance documents such as Standing Orders and Financial Regulations. (Where this is urgent, it should be an interim arrangement until it can be approved at a meeting of council.)
- 3.14. Granting extensions under the 6-month rule

4. FinancialMatters

The following payments can be made under this Scheme of Delegation without the need for approval at a meeting of Whitbourne Parish Council:

- 4.1. Any payment which is part of an agreed contractual obligation (salary and on costs, contractors, and suppliers). This is because failure to pay would be a breach of contract or the individual payment is part of budgeted expense.
- 4.2. Any other budgeted item including approved grants, approved purchases (playground equipment, computer, other assets) insurance and any other expenditure previously agreed by the council.
- 4.3. There is an audit trail in which Whitbourne Parish Council has already considered and approved the payment.
- 4.4. Any amount authorised by the Clerk which is within the limits set by Whitbourne Parish Council's Financial Regulations.
- 4.5. Any other payment authorised under the Scheme of Delegation.

Regardless of this Scheme of Delegation, members are still responsible for the management of the council's finances in accordance with its financial procedures. Nothing in this Scheme of Delegation removes Whitbourne Parish Council's obligations to carry out assurances as normal. It should work with the Clerk/RFO to identify how this can be achieved and recorded.

Signed:

Chairman Whitbourne Parish Council

Adopted on: 23rd June 2021