Draughton Parish Council

Scheme of Delegation – Emergency Arrangements 2020

Introduction

The Local Government Act 1972 (s.101) provides for a local council to arrange for the discharge of any of its functions by any other local authority, a committee or sub-committee, or by an officer of the authority.

Acting within these provisions, the Council’s standing arrangements provide for the Clerk, in conjunction with the Chairman, to take decisions to incur expenditure on revenue items below £500 in certain circumstances (in accordance with Financial Regulations - see the Council’s website).

During the circumstances occasioned by the coronavirus pandemic from March 2020 until such time as the Council may determine, the Clerk is authorised to do anything expedient and necessary to ensure the continuous business of the Council, and to deal with mandatory undertakings in order to prevent the authority from incurring liability during this period. The functions delegated to the Clerk include, but are not limited to, those set out in the Scheme of Delegation below. This Scheme replaces the existing standing arrangements until the Council may determine otherwise, in order to arrange for the efficient continuation of the business of the authority, in the event that the Council is unable to meet to take decisions either because of new legislative requirements and Government guidance or because the Council is otherwise inquorate for whatever reason. All decisions taken under this Scheme will be reported to the next properly convened and quorate meeting of the Council.

Delegation of functions to Clerk

In the circumstances described above, the Clerk has authority to take decisions and act on behalf of the Council as follows:

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| **Function** | **Description of delegated authority** |
| 1. Expenditure authority
 | * To pay any outstanding invoices (no limit)
* To pay any invoices for work previously authorised by Council and not yet carried out (within limit of authorisation)
* To order goods and services as previously authorised by Council, or as required on an ongoing basis (within approved budgets), or in line with the agreed policies of the Council (in terms of work in progress)
* To pay all regular subscriptions (within approved budgets) as they fall due
* In respect of urgent or necessary expenditure (revenue or capital), to vire funds as between approved budgets to ensure adequate funding for works or payments as required
* To incur revenue expenditure up to £1000 (any one item; within approved budgets) as required, either on an ongoing contractual basis, eg staff or contractor costs, to cover ongoing service requirements, eg to pay for supplies as ordered, or to make any payments to contractors and suppliers as urgently or necessarily required
* To incur capital expenditure up to £1000 (any one item; within approved budgets) as required for urgent or necessary works
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| 1. Planning consultations
 | * To respond (or decide not to respond) to any planning consultations as received and within statutory timescales
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| 1. Legal matters
 | * To sign any deeds, orders or documents to give effect to any business previously approved or formally supported by the Council
* To instigate any proceedings or claims relating to any debts outstanding or in circumstances involving the Council’s insurance policies
* To instruct solicitors if required in any circumstances requiring timely action on the part of the Council
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| 1. Correspondence
 | * To respond to any formal correspondence received, including communications from the auditors
* To deal with any complaints received pursuant to the Council’s Complaints Policy insofar as may be possible but otherwise with discretion to act as appropriate in the circumstances
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| 1. Annual Accounts
 | * To prepare the year end accounts
* To arrange for the annual internal audit to be carried out if possible by remote or electronic means or otherwise as appropriate
* Subject to receipt of the report of the internal auditor, and to the completion of any necessary action arising, to complete the AGAR and follow the instructions of the external auditor as regards approval and submission requirements 2019/20
* To arrange for the publication of documents as appropriate and for the exercise of public rights
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Acting in accordance with this Scheme of Delegation, the Clerk may do anything pursuant to the delegated powers or duties which it would be lawful for the Council to do, including anything reasonably implied or incidental to that power or duty.

In taking action under this Scheme of Delegation, the Clerk will consult with the Chairman and Vice Chairman, as appropriate, and insofar as may be possible, and will email all councillors on a regular basis to update them as far as possible with the progress of Council business.