Draughton Parish Council – Report to Council Meeting 7 June 2021

Scheme of Delegation – Proposed Transitional Arrangements 2021

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, prior to 2020, the Council’s standing arrangements provided only 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 specific circumstances occasioned by the coronavirus pandemic from March 2020 until May 2021, the Clerk was 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 Scheme of Delegation set up at the time enabled the efficient continuation of the business of the authority, in the event that the Council was unable to meet to take decisions either because of new legislative requirements and Government guidance or because the Council was otherwise inquorate for whatever reason. All decisions taken under the Scheme were reported to the next properly convened and quorate meeting of the Council and duly ratified.

In response to the Government’s decisions to lift social restrictions gradually during May and June 2021, it is now proposed that the Council put in place a transitional Scheme of Delegation to replace the version approved in March 2020. A proposed transitional Scheme is set out below. All decisions taken under the revised Scheme will be reported to the Council and ratified, as appropriate, and the application of delegation arrangements will continue to be reviewed at each future and subsequent meeting of the Council.

Delegation of functions to Clerk

Under transitional arrangements, and for such time as the coronavirus pandemic is managed, subject to ongoing Government legislation and guidance and the introduction of any changes as necessary, the Clerk will have 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, statutorily or necessarily required
* To incur capital expenditure up to £1000 (any one item; within approved budgets) as required for urgent, pre-authorised 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. Correspondence
 | * To deal with all correspondence on behalf of the Council, including formal and contractual matters and consultations affecting any proceedings and interests of the Council
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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, Vice Chairman and/or any co-signatory for online payments, as appropriate, and insofar as may be possible, and will email all councillors on a regular basis to update them with the progress of Council business.