

WEST TYTHERLEY, FRENCHMOOR & BUCKHOLT PARISH COUNCIL

Scheme of Delegation Policy

This Scheme of Delegation Policy sets out the Terms of Reference by which the discharge of Council functions (under Section 101 of the Local Government Act 1972) to the Clerk (who is the Proper Officer and Responsible Financial Officer) will operate.

Signed: Fiona Collier
(Councillor and Chair)

Signed: Melanie Camilleri
(Proper Officer and Responsible Financial Office)

Date: Adopted by West Tytherley, Frenchmoor & Buckholt Parish Council at the Annual Parish Council Meeting on 06 May 2021.

Arrangements for discharge of functions

Under Section 101 of the Local Government Act 1972 a local authority may arrange for the discharge of any of their functions to the Clerk (who is the Proper Officer and Responsible Financial Officer).

This Scheme of Delegation Policy sets out the Terms of Reference by which the discharge of functions will operate.

Scope of the Policy

It shall be exercised in compliance with the Council's:-

- Standing Orders and other adopted policies of the Council
- Financial Regulations
- Approved budgets
- All statutory common law and contractual requirements

The following items may not be delegated to the Clerk:-

- Appoint the Chair and Vice-Chair in May each year
- Sign off the Governance Statement by 30th June each year
- Set the Precept
- Borrow money
- Consider any matter required by law to be considered by the Council.

Activation of the Policy

This Scheme of Delegation Policy may be activated when physical meetings, to which all members of the public are entitled to attend, will result in a health risk (or imminent threat) and/or significant additional costs incurred in securing suitable venues which allow social distancing and other safety measures.

This includes, but is not limited to, situations arising from disease, pandemics, severe natural disasters, foreign hostilities, or terrorism.

At least three councillors (one of which must be either the Chair or Vice-Chair) must request its activation, or its activation is resolved in a meeting of the West Tytherley, Frenchmoor & Buckholt Parish Council, or the Government of the United Kingdom have suspended all public meetings.

Deactivation of the Policy

This Scheme of Delegation is considered to be deactivated when the health risk (or the actual or imminent threat) has passed and at least three councillors (one of which must be either the Chair or Vice-Chair) have requested public meetings be recommenced.

Take action

The Clerk (who is the Proper Officer and Responsible Financial Officer) is empowered to take any and all decisions that would normally be taken by Full Council, or a committee or a working group, having consulted a minimum of three Members (one of which must be either the Chair or Vice-Chair). Consultation may be by email or by telephone or by virtual meeting, followed by a confirmation email.

Financial thresholds

Payment of all invoices, within agreed budget and subject to authorisation by two bank signatories.

Section 3.1. of the Financial Regulations sets out that in cases of extreme risk to the delivery of council services, the Clerk may authorise revenue expenditure on behalf of the council which in the Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a

limit of £250. The Clerk shall report such action to the Chair as soon as possible and to the Council as soon as practicable thereafter. When this policy has been activated, the £250 limit shall be increased to £3,000 for a single transaction, having consulted a minimum of two Members and the Chair, or to a higher level where the Council has agreed and minuted the expenditure at a prior meeting.

Planning Matters

Planning applications will be received by the Clerk and responses determined by the Clerk following consultation with a minimum of three Councillors (one of which must be either the Chair or Vice-Chair).

These three Councillors may delegate authority to the Clerk to request any application be referred to Test Valley Southern Area Planning Committee for a decision.

Record keeping and Reporting

The Openness of Local Government Bodies Regulations 2014 require a written record to be kept of certain decisions made by an officer of a Council acting under delegated powers. The Clerk will keep a log of:-

- the date the decision was taken;
- a record of the decision taken along with reasons for the decision;
- details of alternative options, if any, considered and rejected;

Decisions made under this delegation will be reported to, and recorded in the minutes of, the next Council meeting.

If the Clerk is unable to work due to illness, the Chair will access any email correspondence and action anything urgent. If necessary, the Chair will seek to obtain the services of a locum Clerk.