

# Yattendon Parish Council

## Temporary Scheme of Delegation

Version number	1.0	Minute reference	21/22-005
Adopted by	Full Council	Review due	Annually
Date adopted	5 <sup>th</sup> May 2021	Review date	May 2022

### Temporary Scheme of Delegation

1. Section 101 of the Local Government Act 1972 provides:
  - That a Council may delegate its powers (except those incapable of delegation) to a committee or an officer.
  - A Committee may delegate its powers to an officer.
2. 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.
3. The Proper Officer may nominate another named Officer to carry out any powers and duties, which have been, delegated to that Officer.
4. In an emergency the Proper Officer is empowered to carry out any function of the Council
5. 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 Members, and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

### Delegation to The Proper Officer

6. 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 recommend to them by the relevant Committee or Full Council
7. This empowerment does not affect the delegations already in place via Standing Orders or Financial regulations.
8. 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.

## Full Council Matters

9. The following items are reserved for Full Council decision only and cannot be delegated to an Officer.
  - To appoint the Chairman and Vice-Chairman in May each year
  - To sign off the Governance Statement by 30 June each year
  - To set the Precept
  - To appoint the Head of Paid Service (Parish Clerk)
  - To make byelaws
  - To borrow money
  - To consider any matter required by law to be considered by Council