

WHEATLEY PARISH COUNCIL – COUNCIL MEETING 10.01.2022

ITEM 149I UPDATED DELEGATED POWERS

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Strategic Goal:	Goal 4 Develop the council to enable it to deliver its functions effectively and to instill effective leadership
Legislation:	Local Government Act 1972 s101
Summary:	To approve delegated powers that will enable the council to carry out its functions and duties during the period of restricted activity.

Purpose/Background

Despite increasing cases of C-19 local councils are still legally required to meet in person. Should situations arise where the council is unable to meet and unable to carry out its duties a revised Scheme of Delegation has been suggested (see below). This follows guidance from OALC/NALC.

The council already has delegated some powers to the Clerk ([Section 4 of Financial Regulations](#)) which has set thresholds for expenditure.

N.B Delegated powers cannot be applied to signing off, of Annual Governance and Accountability Return, budgets, precept borrowing of money or changes in code of conduct.

Delegated Powers due period of restricted council activity

It is recommended that the council adopts an approach that "If it is not possible to convene a meeting of the council in a reasonable time, the Clerk, in consultation with the Chair, Vice-Chair or Chairman of the committee (Planning matters) shall have delegated authority to make decisions on behalf of the council where such decision cannot reasonably be deferred and must be made in order to comply with a commercial or statutory deadline.

The delegation does not extend to matters expressly reserved to the Council in legislation or in its Standing Orders or Financial Regulations. Any decisions made under this delegation must be recorded in writing and must be published in accordance with the relevant regulations. This delegated authority ceases upon the first meeting of the council after the council meeting at which the delegation was put in place."

Any decisions taken during this period would be recorded and reported back to the council at the next available meeting.

Recommendation

To approve the delegated powers, to be used, if the council is unable to conduct its business under normal circumstances.