

ROTHERWICK PARISH COUNCIL TEMPORARY SCHEME OF DELEGATION

Rotherwick Parish Council delegates authority to the Clerk in consultation with the Chair and Vice Chair to take any actions necessary with associated expenditure to protect the interests of the community and to ensure council business continues during the period of the pandemic Coronavirus, informed by consultation with members of the council.

The Local Government Act (1972) S101 permits a Council to delegate decision making and discharge of statutory powers/functions (including powers to spend) to:- A Council Officer (Clerk, RFO) to perform these functions on the Council's behalf. **Under no circumstances can power be delegated to an individual councillor.**

Powers which CAN be delegated to the Clerk/RFO

- Spend
- Decide Policy/Procedures/Course of Action
- Undertake day to day administrative duties
- Investigate/make recommendations for approval of any of the above
- Act in an emergency

Powers which CANNOT be delegated to the Clerk/RFO

- Setting Precept
- Approving the annual account/annual return
- Consider the Auditors' Report
- Borrow money
- Adopt/revise the Council's Codes of Conduct

These Delegated Powers build on RPC's Financial Regulations Items 4.1 and 4.5 they do not amend or alter RPC's Financial Regulation Item 6 relating to the instructions for the making of payments.

POST MEETING NOTE: The Coronavirus Act 2020 permits Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England & Wales) 2020

The Regulations came into force on 4 April 2020 and apply to meeting taking place before 7 May 2021. You can find the regulations and supporting documents here on the legislation.gov website <https://www.legislation.gov.uk/uksi/2020/392/contents/made>