

Diptford Parish Council

Temporary Scheme of Delegation

Adopted 5th May 2021

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.
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. In an emergency the Proper Officer is empowered to carry out any function of the Council
4. 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

1. As a temporary measure, to allow for effective decision making whilst Covid-19 restrictions and considerations are in place, Diptford Parish Council empowers the Proper Officer to take any and all decisions recommended to her by the Full Council at a virtual meeting.
2. This empowerment does not affect the delegations already in place via Standing Orders or Financial regulations.
3. The Proper Officer may not take additional decisions that would normally be taken by Full Council unless 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

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 (Town Clerk)
- To make byelaws
- To borrow money
- To consider any matter required by law to be considered by Council