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Temporary Scheme of Delegation

Introduction

The arrangements for the discharge of functions by local authorities (s101 of the 1972 LGA) provides for delegating authority to an officer to make decisions on behalf of the Council as and when appropriate (except those excluded¹)

St Erth Parish Council's temporary Scheme of Delegation agrees to delegate authority to the Clerk, in consultation with the Chairman and Vice-Chairman (or other Councillors in their absence), to take any actions necessary with associated expenditure to protect the interests of the community and ensure Council business continuity, from the period starting 7th May should the Council decide it is unable to lawfully meet safely within Covid-19 restrictions. This delegation will be informed by consultation with Councillors and will be reviewed at each Ordinary meeting with an end date of 31st March 2022.

There are a number of key issues that the Parish Council would need to continue to process during this period and it has agreed to carry out these functions as follows should the need arise:

Planning Applications:

1. Links to all planning applications received from the planning authority will be published on the Parish Council website, and circulated to all Parish Councillors. This will take place on a weekly basis and applications will be published on the website by 10am on the Monday after they are received. The public will be given until 5pm on the Friday of that week, to submit their views, in writing, to the Clerk (this includes email).
2. For each application, a summary of any public comments will be circulated to all Councillors for their comments. In accordance with GDPR Regulations, this summary will not contain any personal information unless the commenter has specifically requested that this be included. Councillors will be given a further 3 working days to consider the public comments.
3. Following this, the Clerk and appropriate Councillors will agree a Council response to each application which identifies relevant material considerations and may give local information or opinion. A draft response will then be shared with all Councillors who will have 2 working days to advise the Clerk of any comments. At the end of the 2-day period the response will be sent to Cornwall Council.
4. The Parish Council's response will then be posted on its website as it is currently.
5. If the matter is referred back to the Council under the local council protocol, the Scheme of Delegation will allow the Clerk to respond on behalf of the Council.

Process Payments due

Any payments that have been agreed by Council previously and are included in its budget, will be paid online. The Clerk will continue to prepare a schedule of payments for authorisation by two signatories, which will be obtained via email, prior to payments being processed in accordance with Financial Regulations.

Miscellaneous Payments

Under Financial Regulation 4.1 'the Clerk, in conjunction with the Chairman, has authority for expenditure on revenue items below £1,000, up to the amounts included for that class of expenditure in the approved budget'.

Under Financial Regulation 4.5 '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 £500. The Clerk shall report such action to the Chairman as soon as possible and to the Council as soon as practicable thereafter.

Respond to Other Issues

From time to time, other matters will need to be determined. In such cases, the Clerk will consult the Chairman and Vice-Chairman before making any such decisions and will notify all Councillors each time this occurs.

Recording Decisions

A record of any decisions taken under the Scheme of Delegation will be recorded by the Clerk and ratified when the Council is next able to hold a meeting.

Limitations

All decisions taken under delegated authority will be in accordance with the Council's Standing Orders and Financial Regulations and this Scheme of Delegation, and where applicable any other rules / regulations and legislation.

Exclusion List

- Appointment of staff
- Approving and adopting a budget
- Setting the precept
- Borrowing money
- Approval of the Council's Annual Accounts and the Annual Return
- Adopting or amending Standing Orders, Financial Regulations & Terms of Reference
- Making, amending or revoking bylaws
- Matters of principle or policy
- Appointment of Chairman and Vice-Chairman or appointment to a Committee
- Prosecution or defence in a court of law

Adopted	4 th May 2021	294/20-21b)
Next review due	Monthly	