



# **BISHOPSTOKE PARISH COUNCIL**

## **EMERGENCY DELEGATIONS POLICY**

**This Policy was adopted**  
**by the Parish Council at its meeting on 24 March 2020**

**D Wheal**  
**Clerk to Bishopstoke Parish Council**

**BISHOPSTOKE PARISH COUNCIL**  
**EMERGENCY DELEGATIONS POLICY**  
**Amendment Sheet**

<b>Amendment No.</b>	<b>Date Incorporated</b>	<b>Subject</b>
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# EMERGENCY DELEGATIONS POLICY

## 1 Introduction

- 1.1 The following pages set out the manner in which Bishopstoke Parish Council delegates its powers in the event that the normal Council timetable of meetings is disrupted and cannot be followed.
- 1.2 There are certain specific duties and obligations which are set in legislation as the responsibility of the Council and cannot be delegated. These duties are set out in Section 2 and can only be altered by legislation. There are other duties and obligations that are already delegated to the Clerk or other Officers, and they are detailed in Bishopstoke Parish Council's Delegations Policy. The remaining duties and obligations are usually either delegated to the various Committees and Working Groups of the Council, or routinely dealt with by the Full Council itself. It is those duties and obligations which are dealt with by this Policy.
- 1.3 The intention of the Emergency Delegations Policy is to enable the Council to continue to act when the normal methods by which certain Council decisions are taken is no longer possible.
- 1.4 Wherever the Clerk is referred to in this document it shall be understood that the Assistant Clerks can deputise for the Clerk both in the absence of the Clerk and to enable the efficient and effective running of the Parish Council. Where the Chair or Vice Chair are referred to, it shall be understood that in the event either is unable to fulfil the duties laid out in this Policy then the Council may nominate another member to take their place.
- 1.5 Where appropriate, Council and Committee members will be asked to contribute to discussions and decisions taken under this policy. Where that is not practical, all decisions taken under this policy will be communicated to Councillors as soon as is practical. The decisions of the Council will continue to be made public in the form of minutes, notes, announcements or whatever method is deemed appropriate.

## 2 Duties And Obligations Not Covered By This Policy

- 2.1 The following are powers that remain reserved to Full Council unless legislation dictates otherwise AND that occur at certain specific times of year:
  - 2.1.1 Setting the precept and approval of the Council's budget;
  - 2.1.2 Approval of the Annual Accounts;
  - 2.1.3 Completion of the Annual Return including the Governance Statement;
  - 2.1.4 Consideration of an Auditor's report made in the public interest (within one month of receipt);
  - 2.1.5 To order, regulate and generally supervise the Council's finances within the general financial policy of the Council which shall be expressed in the annual budget.
- 2.2 The Council is legally required to hold an Annual Meeting in May, at which the Chair and Vice Chair are elected, unless legislation is brought forward to alter this.

- 2.3** The Council is legally required to hold a Parish Assembly at some point from 1<sup>st</sup> March to 1<sup>st</sup> June. This also can only be amended by legislation.
- 2.4** The following are powers that remain reserved to Full Council but are not time limited in any way:
- 2.4.1** The making, amending or revoking of Standing Orders and Financial Regulations;
  - 2.4.2** Adoption or revision of the Council's Code of Conduct;
  - 2.4.3** Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence (once confirmed this is then renewed at the Annual Meeting);
  - 2.4.4** Determination and review of the Bank Mandate;
  - 2.4.5** Matters of principle or policy;
  - 2.4.6** Nomination or appointment of representatives of the Council to outside bodies (except approved conferences or meetings);
  - 2.4.7** Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;
  - 2.4.8** The making, amending or revoking of byelaws;
  - 2.4.9** Agreement to write off bad debts;
  - 2.4.10** Approval by resolution, before payment, of any grant or single commitment in excess of £5,000;
  - 2.4.11** Authorisation as to the terms and purpose for any application for Borrowing Approval and subsequent arrangements for the loan;
  - 2.4.12** Approval of any financial arrangement which does not require formal borrowing approval from the Secretary of State (e.g. hire purchase or leasing of tangible assets);
  - 2.4.13** Approval of purchase, acquisition by other means, sale, lease or disposal of tangible moveable property over £1,000;
  - 2.4.14** Approval of purchase, acquisition by other means, lease, sale or disposal of real property (interests in land);
  - 2.4.15** Approval of the virement of unspent and available amounts to other budget headings or reserves;
  - 2.4.16** Approval of changes in earmarked reserves as part of the budgetary process;
  - 2.4.17** The dismissal of Officers;
  - 2.4.18** The overall review of rents and charges.

### **3 Emergency Arrangements**

- 3.1** The Emergency Delegations Policy will come into effect automatically if the Parish Council is unable to fulfil its regular timetable of meetings for a period of more than one month, or by resolution of the Council.
- 3.2** This Policy covers all Council business not listed in Section 2 and not already delegated to the Clerk and other Officers as detailed in the Delegations Policy.
- 3.3** All decisions covered by this Policy will be delegated to an Emergency Group consisting of the Chair, Vice Chair and Clerk. This group will not be required to meet in public, or in person, but will be permitted to come to decisions via email, phone or other remote communication methods.
- 3.4** The advice of the Clerk will hold the same weight as in ordinary Council meetings. The presence of the Chair and Vice Chair allows alternate decisions to be taken if thought appropriate.
- 3.5** Where a decision would normally be taken at a Council meeting, and where practical, Council members will be asked for their opinions regarding that decision. Those opinions will be taken into account by the deciding group provided that they are received in a timely fashion.
- 3.6** As in 3.5 above, where a decision would normally fall to a particular Committee or Working Group, the members of that Committee or Working Group will be asked for their opinions.
- 3.7** The Clerk will keep a record of the decisions taken by the Emergency Group, which will be circulated to all Councillors as soon as is practical. This record will be kept in the minutes book and will be published on the Council website.
- 3.8** Once the Council is able to resume a normal timetable of meetings then the delegations authorised by this Policy will cease. A report on the decisions taken during the operation of this Policy will be presented at the first Council meeting following the resumption of the normal Parish Council timetable.