

# Elsham Parish Council Agenda

Parish Clerk – Deb Hotson

Telephone: 0784 220 1877

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Dear Councillor

You are hereby summoned to attend the Annual meeting of the Parish Council **on Tuesday 18<sup>th</sup> May, 2021** at Elsham Village Hall. Proceeding will commence at 6:30pm.

*Social distancing will apply, the wearing of masks and hand sanitising and other measures will be in place to adhere to Government guidelines. The hall can accommodate 20 members of the public.*

The agenda is set out below.

Members of the public and press are welcome.

Deb Hotson

Clerk to the Council

Date of Issue: 12<sup>th</sup> May, 2021

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1. **Election of Chairman and to receive the Chairman's Declaration of Acceptance of Office**
  2. **Election of Vice – Chairman**
  3. **Election of Committee / Working Group Representatives**
    - Neighbourhood Watch & NATs Representative
    - Elsham Nature Reserve
    - Elsham Play Area
    - LVF Representatives
    - Personnel Committee
    - Asset Risk Safety Checks representatives
    - To elect two Councillors to represent this Council at the ERNLLCA District Committee Meetings.
  4. **To review and approve the scale of charges for the Leader newsletter**
  5. **To approve the Internal Auditor for 2021/22**
  6. **To review and approve a Reserves Policy**
  7. **To review and approve the Members and Officer Protocol**
  8. **To review and approve Standing Orders and Financial Regulations**
  9. **To review and approve the Asset Register**
  10. **To review and approve the H & S, Christmas Tree, face to face meetings and Financial Risk Assessment policy**
  11. **To review and approve the Complaints Procedure**
  12. **To review and approve the procedure for handling requests made under the Scheme of Publication**
  13. **To review and approve the Equal Opportunity Policy.**
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14. **To review and approve the Co-option Policy.**
15. **To review and approve the Community Emergency Plan**
16. **To review and approve the Child Protection and Vulnerable Adult policies**
17. **To review and approve the Annual Return Assertions Pro forma Policy**
18. **To review and approve the General Data Protection Regulation policies**
19. **To review and approve the Personnel Committee Terms of Reference**
20. **To review and approve the Disciplinary & Grievance Procedure**
21. **To set the dates of the ordinary Parish Council Meetings for 2021/22**
22. **To confirm all Cllrs have reviewed their Register of Interests**
23. **To resolve that this Council utilizes its powers under the Local Government Act 1972, section 101, to devolve to the Clerk the authority to make decisions on planning applications where:**
  - a. The application falls between meetings and it is not possible to obtain from the Planning Authority an extension of time to consider the matter; and
  - b. The Chairman is unavailable to convene an extra-ordinary meeting or particular circumstances are such that the convening of an extra-ordinary meeting is impractical.

In both circumstances the Clerk shall have authority to respond on the Council's behalf, taking into account the Local Plan; the content of any planning policies; community plan or Neighbourhood Plan adopted by the council; and precedent. Moreover, where it is practicable, the Clerk is to contact ALL Councillors to confirm they are content with the response to the specific Planning Application requiring this action.

This authority will not apply to applications where there are known objections by neighbours; multiple housing development; and new land allocations.

23. **To resolve that this Council utilizes its powers under the Local Government Act 1972, section 101, to devolve to the Clerk the authority to make decisions on behalf of the Council as detailed below:**

The Scheme of Delegation (s101 of the 1972 LGA), provides for delegating authority to the clerk for making decisions on behalf of the council as and when appropriate. It is important that Local Councils ensure that they have an adequate Section 101 1972 LGA delegated authority in place. S101 requires formally agreed Terms of Reference by the Council. Decisions would then require the input of 2 members. It needs to be based in Terms of Reference (see Scheme of Delegation below) that sets out the key themes of the delegation and the financial thresholds that apply.

Recommendations are that the Terms of Reference should be broad and the financial thresholds on the generous side that reflect the likely demands e.g. £1k per item or project and stipulate the input of at least 2 senior members. This model sees the Clerk taking on the executive role; whilst the Council, if and when it can meet, becomes more strategic in outlook around policy.

## **Delegation of Power**

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## **To the Proper Officer and Responsible Finance Officer** LGA 1972 s101

The Council's Scheme of Delegation authorises the Clerk to the Council/Responsible Finance Officer to act with delegated authority in the specific circumstances detailed:

### **To take action:**

- To take action on any issue that cannot wait until the next Parish Council meeting.
- The Clerk will address any need/resolution to all councillors by email with a strict timeline.
- Action taken should routinely be done with the input of at least two councillors, including the Chairman if available.
- If circumstances do not permit the input of at least two councillors, the Clerk would normally be expected to consult the Chairman or Vice Chairman if the Chairman is unavailable and take his/her view into account.

### **Financial thresholds:**

- To authorise expenditure on items where the Council within a budget approved by the Council has agreed the expenditure.
- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work or essential project which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000.00
- To take any action regarding minor repairs (up to a cost of £1,000.00) and to report minor matters to the relevant authority.

### **Record keeping**

- Record keeping and the maintenance of a solid trail (particularly around decision making in any form) should be retained in writing and reviewed and certified to ensure good documentary evidence. This is particularly important in the case of an s101 delegated authority.
- Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Council from time to time and this Scheme of Delegation, and where applicable any other rules/regulations and legislation, and

### **Reporting back to full council**

- Shall be reported to the next available Council meeting.