

## Foulden Parish Council

### Democratic & Lawful Decision-Making out of meetings

Local authorities are required to hold meetings to make decisions. On occasion it may not be practical to hold a full council meeting.

The lawful way to do this is that a decision that would otherwise have been on the agenda for a committee or Council is now made by an Officer. The law permits a Council to delegate decision-making and discharge of statutory powers/functions (including “power to spend”) to a Council Officer such as a Parish Clerk/RFO. In such cases, the Officer performs these functions on the Council’s behalf, but legal responsibility always remains with the Council. Although there are certain matters that the law states cannot be delegated and must be discharged by a meeting of the Full Council, delegation can remove the requirement to convene a Full Council meeting whilst still enabling essential functions to be undertaken lawfully. At all times, the Officer must comply with Standing Orders and Financial Regulations, though these may be amended or suspended by a decision of Full Council. To ensure the decision-making process remains inclusive of Council members, the Officer is advised to seek the views of all members of the Council where appropriate.

No.	Item	Comments	Arrangements
1.	Payments - Regular	It is essential that the Council continues to pay its staff, suppliers and contractors as far as is reasonably possible.	All payments are made by cheque, signed by two members of the Council. The RFO presents a schedule of both paid cheques since last meeting and those still to be paid on the following agenda
2.	Payments – extreme risk		All payments are made by cheque, signed by two members of the Council. The clerk/rfo* can spend an allocated amount as per the councils adopted financial policy in consultation with the chair. The RFO presents a schedule of paid cheques since last meeting on the following agenda The clerk will present the decision on a standing agenda item at the following meeting.
3.	Payments - other	On occasion projects may need or be able to be undertaken between meetings.	All payments are made by cheque, signed by two members of the Council. Where an agenda item has previously been discussed. A decision request may go to the clerk, clerk will send out and all councillors must respond (even if abstaining), financial decisions will not exceed £250. The clerk will present the decision on a standing agenda item at following meeting.
4.	Planning Applications	The consultation period for planning applications is 21 days, meaning not all applications can be considered at meetings of the Full Council.	In the first instance. Where an application falls outside a meeting date, an extension to the consultation date will be requested and councillors will be notified via e-mail if it has not been accepted. Where an extraordinary meeting is not called under the councils adopted standing orders, then a request may go to the clerk. Who will send it out and all councillors must respond (even if abstaining). The clerk can then act on behalf of the council. The clerk will present the decision on a standing agenda item at the following meeting.

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5.	Training	TBA	TBA
6.	Other items for decision	Where it is felt that a decision can not wait until the next meeting or does not warrant an extraordinary meeting i.e an organisation requesting a council response or survey completion with a completion date.	A request may go to the clerk. Who will send it out and all councillors must respond (even if abstaining), decisions will be shown on a standing agenda item of the following meeting.

- Cllr Christian has been delegated authority for extreme risk payments to spend in clerk's absence i.e. holiday or sickness