

DITTISHAM PARISH COUNCIL
Incorporating the Hamlet of Capton and the Manors of Bozomzeal and Coombe

Meeting of the Parish Council 4 May 2022 – Scheme of Delegation

1. **Delegations** – To review DPC’s Delegations of Authority.
2. **Recommendation**
 - a. Amend current scheme of delegations by removing paras 5.1-5.6 regarding consulting the Council via public virtual meetings.
 - b. Consider future implementation of an alternative scheme, for consideration before August holidays

3. **Background**

Extract BPC Internal Audit Report (will also be auditing DPC which has comparable delegations)

iv) Virtual meetings with no authority – it would appear that the June and September meetings of 2021 took place virtually with no legal authority being in place (legislation was withdrawn May 2021). The notes of the meetings, which clearly resemble meeting minutes, state that the meetings were ‘unofficial’ but decisions were made at both meetings by the Council. The document authorising delegated authority to the Clerk may have been suitable up to May 2021 but it does not override the withdrawal of the legal power authorising virtual meetings. As a result, if no legal power is in place to hold virtual meetings, any decisions made within these virtual meetings are unlawful. I can’t see that the decisions have been ratified at a face to face meeting since and so I recommend that this happens as soon as possible. I appreciate that advice has been sought on this matter, which can be interpreted in different ways, but to a member of the public (such as me and a colleague auditor) these meetings would appear to be proper Council meetings and so could be said to be misleading.

DALC Comments

If the clerk’s delegation requires consultation (this is not a statutory requirement) with the council/councillors then it should be clear what form that consultation might take. If that consultation is a virtual meeting, we would recommend that, to avoid confusion, the meeting does not look like a parish council meeting and that it is made clear that it is only a consultation meeting to inform the clerk’s decision-making on behalf of the council. Other ways of consulting might be via email or phone; an email system may have the benefit of providing a paper trail.