

# **Agenda Item 9**

**Delegation of Powers to  
Determine Urgent Issues During  
the Coronavirus Outbreak**

**Falkirk Council**

**Title: Delegation of Powers to Determine Urgent Issues During the Coronavirus Outbreak**

**Meeting: Central Scotland Valuation Joint Board**

**Date: 20 March 2020**

**Submitted by: Clerk to the Board**

**1. Purpose of Report**

- 1.1 This report invites the Board to delegate authority to the Assessor to deal with urgent business, which would normally be determined by the Board until at least until 26 June 2020 or for such longer period if Government advice remains to minimise social interaction.

**2. Recommendations**

**2.1 The Board is asked to:-**

- (1) **Delegate powers to the Assessor, in consultation with the convener or in his absence the depute convener, and the Clerk and/or the Treasurer, to determine urgent items of business until at least the next scheduled meeting on 26 June 2020 or for such longer period if Government advice remains to minimise social interaction and to report the decisions taken to the next meeting of the Board, provided that any such decision:-**
- (i) is required to secure the proper delivery of Central Scotland Valuation Joint Board Services and to comply with its statutory duties;**
  - (ii) does not involve expenditure of Board monies outwith the approved Revenue Programme;**
  - (iii) does not involve an increase in the permanent establishment of the particular Service, and**
  - (iv) involves no dispute as to legality, propriety or the proper interpretation of Board policy as affecting the decision;**

### **3. Considerations**

- 3.1 In light of the current coronavirus pandemic and the advice from the UK and Scottish Governments on minimizing social interaction and in order that urgent business, normally determined by the Board, might be dealt with during the outbreak of the Coronavirus, it is proposed that the Assessor is given delegated powers, until the next scheduled meeting of the Board in June, or for longer if the meeting is not able to proceed in light of Government advice, to determine such business, in consultation with convener or the deputy convener and the Clerk and/or Treasurer.
- 3.2 This general delegation is subject to the following exceptions:-
- (a) no officer shall be entitled to take decisions involving Board expenditure outwith the approved Revenue Budget.
  - (b) no officer shall take decisions involving an increase in the permanent establishment of their Service, and
  - (c) no delegated decision shall be taken where there is a dispute as to the legality, propriety or the proper interpretation of Board policy arising from the matter to be decided.
- 3.3 Should it be necessary, for example in the current coronavirus outbreak, Standing Orders provide for the convener, in consultation with the Clerk, to cancel meetings of the Board.

### **4. Consultation**

- 4.1 No consultation has been carried out on the report's proposals.

### **5. Implications**

#### **Financial**

- 5.1 There are no financial implications arising from the recommendations.

#### **Resources**

- 5.2 There are no resource implications arising from the recommendations.

## **Legal**

- 5.3 There are no legal implications arising from the recommendations.

## **Risk**

- 5.4 If the Board does not agree to delegate authority to its Chief Officers there is a risk that the Board will be unable to secure the proper delivery of services and comply with its statutory duties.

## **Equalities**

- 5.5 No equality and poverty impact assessment was required.

## **Sustainability/Environmental Impact**

- 5.6 No sustainability assessment has been completed as part of compiling the report and the main findings.

## **6. Conclusions**

- 6.1 In order to deal with urgent business, which would normally be determined by Council or committee, during the summer recess Council is invited to agree that authority is delegated to its Chief Officers.

Clerk

Author – Brian Pirie, Democratic Services Manager 01324 506110,  
brian.pirie@falkirk.gov.uk  
Date: 19 March 2020

## **Appendices:**

None.

## **List of Background Papers:**

No papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973.