

Halstead Parish Council

Scheme of Delegation (s101)

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

This Scheme of Delegation was adopted by the Council at the Meeting held in June 2026.

This document sets out the manner in which this Parish Council has delegated powers and responsibilities. This document is one of the three main ways in which the Council regulates its affairs; the others are its Standing Orders and Financial Regulations. The power to delegate functions is set out in the Local Government Act 1972 s101. The intention of the delegation scheme is to allow the Council to act with all reasonable speed. Decisions should be taken at the most suitable level. Therefore, the Clerk is given powers over the day to day administration of the Council, Committees to decide matters within their Terms of Reference, and matters of major policy should be recommended to the Full Council.

Proper Officer and Responsible Financial Officer

The Clerk shall be:

- the Proper Officer and carry out the functions as provided by the Local Government Act 1972.
- the Responsible Financial Officer in accordance with the Accounts and Audit Regulations in force at any given time.

Delegated Powers and Responsibilities

In addition to the responsibilities set out in the Clerk's job description, the Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services, together with routine inspections and control.
- Authorisation to call any extra meetings of the Council or any Committee as necessary, having consulted with the Chairman of the Council and/or the Chair of the appropriate Committee.
- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council or its Committees.
- Authorisation of routine expenditure within the agreed budget up to a limit of £500.
- Authorisation of emergency expenditure up to £500*. In the event of an emergency, the Parish Clerk should endeavour to contact the Chair and other Councillors before authorising the expenditure. If, for whatever reason, this is not possible, the Parish Clerk may authorise the expenditure.
- Authorisation of the use of facilities owned by the Parish Council provided that appropriate insurance and other safeguards are in place for the proposed use.
- Preparation and submission of comments to Planning Applications where the Council's agreed stance is known.
- Handling requests for information under the General Data Protection Regulation.
- Issuing press releases and statements to the press on the Council's known policies.

- Updating and managing the content of the Council's website.
- Co-ordination of the Council's newsletter articles.
- Disposal of Council records according to legal restrictions and the Council's Records Management Policy.
- Take appropriate actions arising from emergencies in consultation with Chair/Vice Chair of the Council - as appropriate to the circumstances.

Planning Committee

The Planning Committee has delegated authority to carry out the following functions on behalf of the Council:

- To make responses directly to the District Council unless the proposed development has the potential to change the face of the parish in a manner that may be of interest to the residents.
- Use delegated authority to respond to Local Plan and Planning Policy consultations from Sevenoaks District Council, Kent County Council and the Ministry of Housing, Communities and Local Government.

Staffing Committee

- To take decisions on staff hours more than core hours needed to enable projects to be completed or to deal with exceptional circumstances.
- To make all decisions relating to staff and their employment, except recruitment and termination.
- To manage HR issues and other contractual matters

Delegation – Limitations

All decisions taken under delegated authority will be in accordance with the Council's Standing Orders and Financial regulations and this Scheme of Delegation, and where applicable any other rules/regulations and legislation. All decisions will be reported to the first appropriate Council meeting.

The Council may delegate the power to make individual decisions on individual items to the Proper Officer/Responsible Finance Officer and its Committees as and when appropriate

This Scheme has been drafted from the NALC Model Scheme of Delegation. This scheme will be reviewed and amended as required, due to changes in legislation or on the employment of a new Clerk. Otherwise, the Scheme is confirmed at each Annual General Meeting of the Council. Consequently, the next review date is May 2027.