

Halton Holegate with Halton Fenside Parish Council

Scheme of Delegation

May 2025

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1. Introduction

This Scheme of Delegation is made under Section 101 of the Local Government Act 1972 and sets out the delegation of Council functions to Officers and Committees, to enable effective and timely decision-making between scheduled meetings of the Parish Council.

This scheme operates in conjunction with the Council's Standing Orders, Financial Regulations, the Members' Code of Conduct, the Freedom of Information Act 2000, and the Data Protection Act 2018.

2. General Principles

- a. The Parish Council may delegate decision-making to a Committee, Sub-Committee, the Clerk, or other Officer, with the exception of:
 - i. Setting the Precept.
 - ii. Approval of the Annual Governance and Accountability Return (AGAR).
 - iii. Borrowing money.
 - iv. Making byelaws.
 - v. Incurring expenditure not previously approved.
- b. All delegated decisions must be recorded and published in accordance with FOIA and DPA 2018.
- c. Members and Officers must declare relevant interests and adhere to the Council's Code of Conduct.

3. Delegation to the Clerk

- a. The Clerk, as the Council's Proper Officer, is empowered to:
 - i. Respond to routine correspondence and enquiries.
 - ii. Manage the day-to-day operations of the Council.
 - iii. In consultation with the Chairman (or Vice-Chairman if unavailable), respond to planning applications where the response deadline falls before the next scheduled meeting.
- b. Planning Consultation Protocol:
 - i. The Clerk shall circulate planning applications to all councillors electronically, or in paper format if requested.
 - ii. Councillors may respond individually with their comments within 10 working days.
 - iii. The Clerk shall draft a response based on member feedback and in consultation with the Chair/Vice-Chair/Councillors.
 - iv. The response shall be submitted within the statutory 21-day period.
 - v. All responses will be reported to the next full Council meeting for information purposes and recorded in the minutes.

4. Extraordinary Meetings

- a. An Extraordinary Meeting of the Parish Council may be called in accordance with law and the Standing Orders:
 - i. By the Chairman at any time; or
 - ii. By two councillors delivering a signed requisition to the Clerk.

- b. The Clerk shall then convene a meeting within 7 clear days of receiving such a request, subject to statutory public notice requirements.

5. Confidentiality and Data Protection

All delegated decisions must comply with the Data Protection Act 2018, ensuring that personal data is processed lawfully, transparently, and securely.

Any FOI requests relating to delegated decisions must be handled in accordance with the Freedom of Information Act 2000.

6. Review and Reporting

- a. All actions taken under delegated powers must be recorded and reported to the next available meeting of the full Parish Council.
- b. This Scheme of Delegation will be reviewed annually at the May Annual Meeting of the Council.