

Scheme of Delegation for Hambleton Parish Council

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Introduction & Scope

This Scheme of Delegation (SoD) sets out the responsibilities delegated by Full Council to its committees, and the Clerk. It supports efficient and lawful administration, clarity of governance and transparency for councillors, officers and the public. It operates alongside and is interpreted in accordance with Standing Orders, Financial Regulations and all adopted governance policies. It does not override or duplicate those documents.

This document does not create new powers. It records and clarifies delegations necessary for the Council's lawful operation, reflecting statutory requirements and proper practices including those arising from (inter alia):

- Local Government Act 1972
- Localism Act 2011
- Accounts and Audit Regulations 2015
- Proper practices set out in the SAPPP Practitioners' Guide

Where a function is not expressly delegated, it remains reserved to Full Council.

Roles of Members & Officers

Council and Committees

Members retain responsibility for:

- Policy and strategy
- Approval of budgets and the precept
- Adoption of policies and governance documents
- Major financial commitments
- Matters reserved by law
- All decisions involving political judgement of departure from established policy
- All exceptions, escalations or items beyond approved budgets

Officers

Officers implement decisions made by Full Council and committees and manage day-to-day operations within approved parameters, budgets and delegations.

Officers **do not**:

- Make policy decisions
- Depart from member-approved strategies
- Determine discretionary matters outside agreed frameworks
- Take decisions that members have expressly reserved

Where an officer is uncertain whether a matter falls within their delegated authority, they shall refer it to the Clerk who will determine whether the matter may be decided under delegation or must be referred to committee.

Where this SoD or another governance document gives officers fully delegated authority they may, where appropriate, consult with the Chair of the Council or relevant Committee Chair. Consultation does not confer, imply or require shared decision-making and all decisions taken under officer delegation remain officer decisions.

Decision-making Principles

Decisions are taken by Full Council, its committees or officers in accordance with Standing Orders, Financial Regulations and this SoD. Nothing in this section requires a matter to be considered sequentially by different bodies.

The Council acts only as body corporate and no individual councillor, including the Chair of the Council or Chairs of Committees, has authority to make decisions on behalf of the Council unless specifically authorised by law, Standing Orders, or a formal resolution.

Matters Reserved to Full Council

Full Council alone shall:

- Approve and amend the budget and precept
- Borrow money
- Approve accounting statements and the Annual Governance and Accountability Return (AGAR)
- Adopt and amend Standing Orders, Financial Regulations, this SoD and governance policies
- Approve the Corporate Plan and major strategies

- Approve the Council's Strategic Risk Register
- Approve the acquisition or disposal of land and buildings
- Authorise expenditure exceeding the limits set out in Financial Regulations
- Approve the staffing establishment and any changes to the role of the Clerk
- Make decisions not delegated elsewhere
- Discharge those functions which by law may only be exercised by Full Council

Delegations to Standing Committees

General Principles

The detailed remit of committee are set out in their Terms of Reference (ToR).

Committees review and develop policies within their remit for recommendation to Full Council.

Committees oversee their mapped budgets but are not required to pre-approve routine operational expenditure, which is authorised by the Clerk in accordance with Financial Regulations. Budget mapping is reviewed annually through the budget-setting process.

Committees **may not**:

- Exceed their budget envelope
- Take decisions contrary to policy
- Commit the Council to expenditure or liabilities beyond approved budgets
- Exercise functions reserved to Full Council
- Delegate onward to individual councillors

No committee is authorised to create a sub-committee unless expressly resolved by Full Council.

Working Groups may be established under Standing Orders. They are advisory only and hold no delegated or decision-making authority.

Planning Committee

The Planning Committee has delegated authority for:

- Planning applications and statutory planning consultations
- Neighbourhood Planning and place shaping

Planning consultation responses shall not be delegated to officers except where:

- The Local Planning Authority has refused an extension of time, and
- It is not possible to convene a quorate meeting, and
- The matter is purely procedural or factual and requires no element of planning judgement or interpretation.

Any use of this emergency provision must be undertaken in consultation with the Chair (or, in their absence, the Vice-Chair) and reported to the next Full Council meeting.

Staffing Committee

The Staffing Committee has delegated authority for:

- Staffing structure and workforce planning (except changes to the role of the Clerk)
- HR and employment policies
- Employee recruitment (other than the Clerk)
- Appraisal and training frameworks
- Pay, wellbeing and staff-related health & safety
- Oversight of staffing-related risk and compliance
- Oversight of the Clerk's performance monitoring and appraisal

The Staffing Committee makes recommendations to Full Council on:

- Appointment or dismissal of the Clerk
- Changes to permanent staffing establishment

The Chair of the Council is excluded from membership to provide an escalation route as required and substitute members are not permitted due to the confidential nature of business.

Delegation to the Clerk (Proper Officer)

The Clerk is authorised to exercise the functions set out in this section.

Statutory and Governance Functions

- Act as Proper Officer under the Local Government Act 1972
- Issue and sign summons for meetings in accordance with Standing Orders

- Prepare and publish agendas and agenda papers, consulting relevant Chairs as appropriate (in accordance with the Local Government Act 1972, only items included in the published summons constitute the lawful business of the meeting)
- Receive declarations of acceptance of office
- Receive and record notices disclosing interests
- Receive and retain plans and documents
- Sign notices and documents on behalf of the Council where authorised
- Oversee day-to-day administration and operational delivery of services
- Advise the Council on compliance with legislation and proper practice
- Maintain governance documents and the policy register

Financial Management

- Exercise financial authorisations in accordance with Financial Regulations

Staffing

- Manage staff, workloads, HR compliance, sickness and performance
- Authorise training within budget
- Engage temporary staff where essential and budgeted

Contracts and Procurement

In accordance with Financial Regulations:

- Approve orders within agreed thresholds
- Obtain quotations and tenders as required
- Manage contracts and supplier performance
- Initiate procurement processes within budgets

Administrative and Operational Decisions

The Clerk may take any administrative or operational decision within the scope of approved policies, Standing Orders, Financial Regulations or existing delegations including to:

- Implement resolutions of Council or committees
- Ensure continuity of service
- Protect assets, staff or the public
- Comply with legal obligations

People, Projects & Engagement

- Community engagement, events and communications (including website and digital channels)
- Programme/project management including strategic asset development and capital projects
- Policy research and development within their remit

Assets, Amenities & Place

Delegated operational management of:

- Day-to-day operation, inspection and maintenance of land, buildings, open spaces and facilities
- Grounds, estates and operational public realm
- Support for the Planning & Place Committee including Neighbourhood Planning
- Amenities and contracted services
- Operational liaison on transport, highways and infrastructure consultations
- Delivery of capital and project works within budget

Where a decision is significant, politically sensitive, or involves material discretion, the Clerk will consult the Chair and/or relevant Committee Chair before exercising delegated authority.

Delegation to Other Officers

Currently, the Clerk is the only officer employed by the Council. However, should this change, the Clerk may authorise other officers to exercise delegated functions as appropriate. Statutory functions of the Proper Officer and RFO may only be delegated where legislation permits.

Responsible Financial Officer (RFO)

At Hambledon Parish Council, the Clerk holds the statutory role of Responsible Financial Officer (RFO), with responsibility to:

- Maintain accounting records and internal financial controls
- Prepare the budget
- Verify lawful payments
- Manage banking, payroll, VAT, insurance and financial systems

- Produce regular financial reports
- Carry out financial policy research and development
- Maintain a sound system of internal financial control

Urgent Decisions

Where a matter requires a decision before the next scheduled meeting, the Clerk may take an urgent decision only where delay would cause:

- Risk to staff or public safety
- Financial loss
- Breach of statutory requirement
- Serious disruption to services

The Clerk must consult:

- The Chair of the Council, and (where appropriate)
- The relevant Committee Chair

All urgent decisions must be reported to the next available meeting. Where the next scheduled Full Council meeting occurs sooner than the relevant Committee meeting, the matter may be referred directly to Full Council.

Interpretation and Review

Any uncertainty in applying this SoD shall be resolved by the Clerk in consultation with the Chair of the Council, with referral to Full Council where appropriate.

This document will be reviewed annually as part of the governance cycle and updated where:

- Legislation changes
- Committee structures change
- Operational experience indicates that clarification is needed