

Borough Council of  
**King's Lynn &  
West Norfolk**



# **SCHEME OF DELEGATION**

14 June 2018

# BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

## SCHEME OF DELEGATION

The attached represents the Scheme of Delegation across the Council. It is shown in tabular form with the first 3 columns showing the Council body, its functions and its consultation requirements and the last two columns showing the delegations to officers in respect of those functions and the limits on those delegations. Throughout the following abbreviations are used:-

C	=	Consultation
WM	=	A Ward Member in the Ward affected
PH	=	Portfolio Holder
CE	=	Chief Executive
MO	=	Monitoring Officer
CFO	=	Chief Financial Officer
ED	=	Relevant Executive Director
LAC	=	Licensing and Appeals Committee/Board

### PORTFOLIO HOLDER DELEGATIONS

The following Scheme sets out the areas delegated to Portfolio Holders to make decisions and complies with the Council's Financial Regulations. Key Decisions are not delegated to Portfolio Holders and must be considered in Cabinet. Key Decisions are defined as:-

an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effect on communities living or working in the area comprising two or more wards and electoral divisions in the Council's areas

where significant under a) above is £500,000 or more and significant under b) above is one third of the resident population in a ward.

Decisions involving transfers between budget are limited to £250,000 for individual Portfolio Holders, and additional resources from reserves are permissible for any Portfolio Holder up to a maximum of £50,000 per portfolio in any financial year.

Where a reserve exists for a specific purpose (eg renewal or repair reserve), the Director - Resources may withdraw funds from that reserve, PROVIDED THAT the withdrawal is to finance an item or items of expenditure related to the reasons for the existence of the reserve, up to a value of £100,000 per annum. Any necessary withdrawal that exceeds this amount additionally requires the approval of the relevant Portfolio Holder.

Decisions where more than one Portfolio Holder is required to make a decision must go to Cabinet. For the avoidance of doubt each Portfolio Holder has complete freedom to utilise his or her budget without further recourse to the Leader provided it is not a key decision and subject to the restrictions mentioned above.

It is the responsibility of each Portfolio Holder in consultation with the relevant Executive Director to ensure that every decision is made with the full knowledge of a Democratic Services Officer who shall ensure each decision is properly recorded, reasons given and reference made to the report to the Member concerned.

It is also the responsibility of the Portfolio Holder, in consultation with the relevant Executive Director in making decisions to abide by the Council's Financial Regulations and other policy and procedure documents of the Authority as appropriate.

The Portfolio Holder may make decisions in all the areas set out below subject to the conditions and consultations and onward limits on delegation except where the matter under consideration is in excess of £250,000 or beyond the budget of the Portfolio Holder or has a significant effect on two or more wards in the Borough or where the decision to be reached requires the decision of an additional Portfolio Holder.

### General Powers

The exercise of delegated powers is to the person to whom it is expressly delegated under this Scheme.

An officer who is authorised to exercise a delegated power under this scheme may authorise other officers to exercise that power on their behalf. Such authorisation shall be made in writing setting out:

- a. The name(s) of the officers who may exercise a power
- b. The power which may be exercised
- c. Any limitations on the exercise of that power

A copy of every authorisation should be passed to the Monitoring Officer before the officer who is authorised exercises any power

### Contracts

An Executive Director may authorise and execute on behalf of the Council a contract for works services or goods provided:

- a. the value of the contract does not exceed £100,000.00 or any limit prescribed at any time by contract standing orders
- b. the contract is not part of a series of agreements for the provision of the same or substantially the same works, goods or services
- c. the Executive Director retains a copy of every contract that they make

## **OFFICER DECISIONS**

It is the responsibility of the officer in making decisions to abide by the Council's Financial Regulations and other policy and procedure documents of the Authority as appropriate.

A delegation of a role when a number of officers hold the job description will mean that for the purposes of the scheme, the power is delegated to all of those officers.

In the absence of the Chief Executive any powers falling to be exercised by them may be exercised by any Executive Director.

Any delegation of power delegated by any Executive Director can be exercised by the Chief Executive.

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
<b>1 Corporate /Strategic Issues, Resources THE LEADER</b>	1.1 Review of Corporate Policy including the budget or the Corporate Plan having first been recommended by Cabinet and approved by Council	CE/CFO/MO Requires rec to Council for any change.	<b>1.1.1 Management Team / Monitoring Officer/Executive Directors / CFO</b> – Ensure Executive decisions are taken in accordance with the law and financial and policy guidelines.	
	1.2 Cross Cutting /Cross Remit issues	CE & ED & Portfolio holders		
	1.3 Democratic Processes	MO	<b>1.3.1 Executive Directors</b> Day to day management of the Council's democratic processes. Timetable of Meetings	
	1.4 Legal	CE and MO	<b>1.4.1 Chief Executive / Monitoring Officer</b> Sign and serve any notice, order or document or act as proper officer under Section 234 of the Local Government Act 1972 where no other officer is currently appointed. To affix and attest the common seal of the Council where the common seal is required pursuant to any decision of the Council. To take any measures necessary to recover possession of land owned or leased by the Council, including encampments (whether or not on Council owned land). Authorise the postponement of charges made on Council property. Day to Day management of assigning budget resources to all legal matters.	
	1.5 Treasury Management including banking, revenue	CFO	<b>1.5.1 Executive Directors / CFO</b> Write Off irrecoverable debts	See authorisations given effect by

	and capital programmes		<p>Administration of banking arrangements  Manage insurance for the Council, its property and employees  Exchequer services including raising and repayment of loans.  Approval and publication of Statement of Accounts  Authorisation of virements and budget transfers  Authorise urgent payments</p> <p><b>1.5.2 Executive Directors / CFO</b>  Collect, administer, demand and recover Council Tax and National Non Domestic Rate precepts and any other Tax or Charge levied by the Council. Collection of rents.</p>	Financial Regulations
	1.6 Fees and Charges	CFO	<p><b>1.6.1 Executive Directors</b></p> <p>Variation of fees and charges</p>	
	1.7 Procurement	ED	<p><b>1.7.1 Executive Directors / CFO</b>  Day to day management and enforcement of the Council's Procurement Strategy.</p>	
	1.8 Public and Civil Emergencies	Civil Emergency Liaison and CE Leader, Deputy Leader, MO	<p><b>1.8.1 Chief Executive</b>  To exercise any power to protect the interests and well-being of the inhabitants of the Borough in cases of emergency</p> <p><b>1.8.2 Executive Directors</b>  Day to day management of the Civil Emergency Plan</p>	<i>C – Cabinet as soon as reasonably practical</i>
	1.9 Business Continuity	ED	<p><b>1.9.1 Executive Directors</b>  Day to day management of the process</p>	

	1.10 Policies relating to Employment, Personnel, salaries, Pensions, Training and equalities (as an employer)	ED	<p><b>1.10.1 Executive Directors</b> Implementation of service re-organisations and re-structuring within budget.</p> <p>Approval for the funding of training courses for both full and part time study for all employees</p> <p>Updating the Performance Management Scheme</p> <p><b>1.10.2 Chief Executive</b> Changes to posts for senior staff (Executive Directors)</p>	<p>C ED</p> <p>C ED on Settlement agreements.</p>
	1.11 Health and Safety as an employer		<p><b>1.11.1 Chief Executive</b> Day to day responsibility for the Council's Health and Safety function</p>	
	1.12 Equal Opportunities (not as the employer)		<p><b>1.12.1 Executive Directors</b> Day to day management</p>	
	1.13 Local Enterprise Partnerships	ED	<p><b>1.13.1 Chief Executive</b> Attendance and liaison with the LEP</p>	
	1.14 Communication	ED	<p><b>1.14.1 Executive Directors</b> Day to day management of communications on behalf of the Council, in accordance with Council Policy</p>	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
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<b>2 Culture and Deputy Leader</b>				
	2.1 Museums	ED	<b>2.1.1 Executive Directors</b> Day to day management of museum premises owned by the Council, including Stories of Lynn.	
	2.2 Financial Assistance Schemes for sports and arts	WM	<b>2.2.1 Executive Directors</b> Administer award the grants within the Sports Training and Coach Education grants scheme after consultation with the Alive Leisure Trust.	
	2.3 Financial Assistance Schemes	Relevant ED	<b>2.3.1 Executive Directors / CFO</b> Administration of the Council's financial assistance schemes (except sports and arts).	
	2.4 Management of Ancient Corporate Estates		<b>2.4.1 Executive Directors</b> Day to day management of the ancient corporate estates.	
	2.5 Health improvement and promotion including public health and community care		<b>2.5.1 Executive Directors</b> Day to day management	
	2.6 Local Health Partnerships		<b>2.6.1 Chief Executive</b>	
	2.7 Development and promotion of cycling related matters		<b>2.7.1 Executive Directors</b>	
	2.8 Promotion and Marketing of the Borough	ED	<b>2.8.1 Executive Directors</b> Day to day promotion and marketing of the Borough	

	2.9 Tourism	ED	<p><b>2.9.1 Executive Directors</b></p> <p>Day to day management of tourism premises owned or operated by the Council Day to day management of Heritage premises in the Council's ownership.</p> <p><b>2.9.2 Executive Directors</b></p> <p>Day to day management of the tourism issues including management. Arranging or overseeing exhibitions, conferences and tourism as appropriate</p>	
	2.10 Leisure, Arts and Green Spaces policies and strategies	ED	<p><b>2.10.1 Executive Directors</b></p> <p>Day to day operation of the policies</p>	
	2.11 Parks, Gardens and amenity areas including play areas and allotments	WM, ED	<p><b>2.11.1 Executive Directors</b></p> <p>Day to day management of such facilities including exclusion of persons as necessary</p>	
	2.12 Determination of Applications for Circuses on Council property.		<p><b>2.12.1 Executive Directors</b></p> <p>Determination of applications to hold circuses on council land</p>	
	2.13 Resort and Seafront Management	WM, ED	<p><b>2.13.1 Executive Directors</b></p> <p>Day to day management of resorts and seafront</p>	
	2.14 Sports facilities, venues	ED	<p><b>2.14.1 Through ALIVE Management - Executive Directors</b></p> <p>Management and Maintenance of the fabric of all leisure and sports buildings</p>	
	2.15 Arts/Theatre/ Entertainment facilities, venues	ED	<p><b>2.15.1 Through ALIVE Management - Executive Directors</b></p> <p>Management and Maintenance of the fabric of all</p>	



			arts and entertainment.	
	2.16 Community Facilities	WM	<p><b>2.16.1 Through ALIVE Management - Executive Directors</b>  Management and Maintenance of the fabric of the buildings</p> <p><b>2.16.2 Executive Directors</b>  Operational Management of miscellaneous community centres.</p>	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
<b>3 Corporate Projects</b>				
	3.1 Regeneration strategy, policy, projects and implementation	ED	<p><b>3.1.1 Executive Directors</b> Day to day management of Regeneration Projects</p> <p>Submission of bids for and Management of Regeneration projects</p> <p><b>3.1.2 Executive Directors</b> Authorisation to retain professional expertise as required</p>	C PH.
	3.2 Redevelopment & Development projects	ED	<b>3.2.1 Executive Directors</b> Oversight, day to day management and implementation of redevelopment projects	C PH
	3.3 Property	ED+LSM WM PH where property is in another portfolio holders functional area	<p><b>3.3.1 Executive Directors</b> Management of Council property interests together with the ability to authorise all related property transactions at market rent/value. Subject to:</p> <ul style="list-style-type: none"> <li>• Acquisition or disposal of freehold land up to £100,000.</li> <li>• Acquisition or disposal of leasehold land up to an annual rental value of £100,000.*</li> <li>• Discharge or relaxation of freehold or leasehold covenants.</li> </ul>	C ED, PH * Financial limit not applicable to industrial estates

			<ul style="list-style-type: none"> <li>• Determine all applications for the assignment of lease agreements**.</li> <li>• To approve or refuse applications to the Council as Landlord for any approval or consent</li> <li>• Authorise non Housing Act tenancies and licences.</li> <li>• Authorise the applications to release or relax restrictive covenants attached to houses formally owned by the Council.</li> </ul>	<p>where an unlimited rental is allowed. ** except where residential element. C ED</p> <p>C ED, PH, WM</p> <p>C ED, PH</p>
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Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
4 Development (Full Planning Scheme of Delegation is a separate document)				
	4.1 Local Plan, planning and Land Use Policy		<p><b>4.1.1 Executive Directors</b> Minor consequential amendments to planning policy in accordance with national and regional policy changes. Issuing of Local Plan guidance and information</p> <p><b>4.1.2 Monitoring Officer</b> Finalising planning obligations</p>	C - ED
	4.2 Transport policies		<p><b>4.2.1 Executive Directors</b> Responding to consultations on traffic regulation orders</p>	
	4.3 Building Control		<p><b>4.3.1 CNC – Executive Directors</b> The exercise of all local authority functions under the Building Act 1984, the Housing Acts and Public Health Acts so far as they relate to the function of the Council as a Building Control Authority. Act as appointing officer under the Party Wall Act 1996. Building Control enforcement and exercise</p>	

			the right of entry to land and premises.	
	4.4 Street naming and numbering	WM	<b>4.4.1 Executive Directors</b> Street numbering and naming	
	4.5 Commons		<b>4.5.1 Executive Directors</b>	
	4.6 Compulsory Purchase Orders and Enforced Sale Procedures		<b>4.6.1 Executive Directors</b>	
	4.7 Land Charges		<b>4.7.1 Executive Directors</b> Maintain the Register of Local Land Charges and Land Terrier.	
	4.8 Derelict Land and Buildings		<b>4.8.1 Executive Directors</b> Day to day management	
	4.9 CIL		<b>4.9.1 Executive Directors</b> Day to Day management	
	4.10 Planning and Delivery of Custom and Self Build Strategy		<b>4.10.1 Chief Executive</b> Day to day management	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
5 <b>Environment</b>				
	5.1 Policies and strategies relating to: Environmental Strategy, including air quality, contaminated land, water quality/usage.	ED	<b>5.1.1 Executive Directors</b> Day to day management	
	5.2 Control of noise, odour, light, dust, smoke and other pollutants, Public Health Land drainage and sewerage issues Planning and Licensing consultations regarding the above Waste Management enforcement. Building Act 1984 and Housing Acts as relevant to environmental health		<b>5.2.1 Executive Directors</b> Day to day management	
	5.3 Bio-diversity, Local character		<b>5.3.1 Executive Directors</b> Day to day management	
	5.4.1 All aspects of Recycling and refuse		<b>5.4.1 Executive Directors</b> Day to day management	

	collection including waste minimisation and composting,			
	5.5 Street scene and public cleansing		<b>5.5.1 Executive Directors</b> Day to day management	
	5.6 Energy strategy and issues	ED	<b>5.6.1 Executive Directors</b> Monitoring of energy efficiency measures to Council buildings.	
	5.7 Community Safety/Neighbourhood nuisance service		<b>5.7.1 Executive Directors</b> General day to day management of the community safety service and compliance with any legislative provisions relating to crime, disorder and nuisance.  Investigations, authorisations and interventions relating to anti-social behaviour including service of notices, warrants and any other statutory enforcement.	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
<b>6 Facilities and ICT</b>				
	6.1 Equal Opportunities (not as the employer)		<b>6.1.1 Executive Directors</b> Day to day management	
	6.2 Civics	CE, Civics Officer  Mayor or Deputy Mayor	<b>6. 2.1 Chief Executive</b> To determine applications to use the Council's coat of arms  <b>6.2.2 Executive Directors</b> Day to management of the office of the Mayor and Deputy Mayor and civic ceremony	
	6.3 Performance Management	ED	<b>6.3.1 Executive Directors</b> Implementation of performance management reviews and production of performance management information.	
	6.4 Cemeteries and Crematorium		<b>6.4.1 Executive Directors</b> The day to day management of the Council's cemeteries and crematorium and the granting of exclusive burial rights.	
	6.5 Car Parking		<b>6.5.1 Executive Directors</b> Day to day administration of Council owned car parks in the Borough, including amendments to Car Parking Orders in consultation with portfolio holder.  <b>6.5.2 Executive Directors</b> Day to day operation of parking enforcement	



			carried out on behalf of third parties. <b>6.5.3 Executive Directors</b> Management Responsibility for civil parking enforcement.	
	6.6 CCTV		<b>6.6.1 Executive Directors</b> Day to day management of the CCTV function	
	6.7 King's Court, Office and Depot Accommodation	Property Services Manager	<b>6.7.1 Executive Directors</b> Day to day facilities management of King's Court and any other office and Depot accommodation operated by the Council.	
	6.8 Town Hall Complex		<b>6.8.1 Executive Directors</b> Day to day management of the complex	
	6.9 Channel Shift	ED	<b>6.9.1 Executive Directors</b> Day to day management of the process	
	6.10 ICT	ED	<b>6.10.1 Executive Directors</b> Day to day management of the service	
	6.11 Freedom of Information and Data Protection	MO	<b>6.11.1 Monitoring Officer</b> Respond to requests for information under the Freedom of Information and Environmental Information legislation , requests under Data Protection legislation within statutory timescales. Maintain FOI Publication Scheme Maintain Council's Data Protection registration and act as Data Protection Officer. Authorise the use, loan or reproduction of the Councils archive material.	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
<b>7 Housing and Community</b>				
	7.1 Housing Strategies and Associated Policies		<b>7.1.1 Chief Executive and Housing Services Manager</b> Day to day delivery of housing and homeless strategies and policies including administration of the Council's Housing policies	
	7.2 Housing Register		<b>7.2.1 Chief Executive and Housing Services Manager</b> Management of Housing Register in accordance with policy and nominations of households to Registered Providers.	
	7.3 Homelessness		<b>7.3.1 Chief Executive and Housing Services Manager</b> Exercise of homelessness functions.	
	7.4 Housing Standards in the Private Sector		<b>7.4.1 Chief Executive and Executive Directors</b> Day to day delivery of housing standards role including housing enforcement and compliance functions.	
	7.5 Houses in Multiple Occupation (HMO)		<b>7.5.1 Chief Executive and Executive Directors</b> Grant, renew and revoke all licences and issues under the relevant housing legislation	
	7.6 Home		<b>7.6.1 Executive Directors</b>	

	Improvement Agency, Care and Repair and associated operations and Careline		Day to day management of the Home Improvement Agency, Care and Repair and associated operations and Careline	
	7.7 Residential Caravan Site Licensing		<b>7.7.1 Chief Executive and Executive Directors</b> To grant, transfer or revoke licenses and exercise of duties in relation to residential caravans.	
	7.8 Loans and grants for housing	CFO	<b>7.8.1 Chief Executive and Executive Directors</b> Approval/refusal/withdrawal and authorisation of renovation grant scheme payments.	
	7.9 Social Inclusion		<b>7.9.1 Executive Directors</b> Day to day management	
	7.10 Gypsy, Roma and Travellers	WM	<b>7.10.1 Chief Executive</b> Exercise of function. Dealing with unauthorised encampments	
	7.11 Licensing Policies		<b>7.11.1 Executive Directors</b> Day to day implementation of the Licensing Policies and associated matters including signature and service of all notices under the relevant legislation including any and all enforcement	
	7.12 Health and Safety where not as the employer		<b>7.12.1 Executive Directors</b> Approval of Health and Safety Inspectors under the relevant legislation	

			Day to day responsibility of the Health and Safety process where not as the employer including the signature and service of all notices under the relevant legislation.	
	7.13 Food		<b>7.13.1 Executive Directors</b> Day to day management of the food related services	
	7.14 Housing benefit, welfare benefits and advice	ED	<b>7.14.1 Executive Directors and CFO</b> Administration of housing benefit and Council Tax benefit and discretionary housing payments	
	7.15 Public conveniences	WM	<b>7.15.1 Executive Directors</b> Management and maintenance of the Council's public conveniences.	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
<b>8 Performance</b>				
	8.1 Audit Fraud and Risk Management	External Audit, Internal Audit, MO as necessary	<b>8.1.1 Executive Directors / CFO Responsibilities under S.151 and S114 (Chief Financial Officer).</b> Enforcement of Financial Regulations Day to day management of the Internal Audit function and process. <b>8.1.2 Chief Executive</b> Day to day management of the Corporate Risk Register Service Level Risks	
	8.2 Economic Development Policy and Strategy and Economic related External funding, and submission of funding applications.	ED	<b>8.2.1 Executive Directors</b> Day to day management of the process	
	8.3 Industrial and Commercial Promotion		<b>8.3.1 Executive Directors</b> Day to day management of the process	
	8.4 West Norfolk Partnership	ED	<b>8.4.1 Executive Directors</b> Management of the Council's involvement in the Partnership	
	8.5 Asset Register	Property Services Manager	<b>8.5.1 Executive Directors</b> Day to day management of the Asset Register, and matters arising therefrom	
	8.6 Community Asset Register		<b>8.6.1 Chief Executive</b> Retention of the Community Asset Register	
	8.7 Town Centre		<b>8.7.1 Executive Directors</b>	

	Management		Oversight and day to day management of town centres	
	8.8 Christmas Lighting		<b>8.8.1 Executive Directors</b> Provision of Christmas lighting across the Borough	
	8.9 Markets and Fairs		<b>8.9.1 Executive Directors</b> Day to day administration of Markets and Fairs in the Borough	

Body	Functions	Consultations	Officer Delegations	Limits on delegation
9 Council	<p>9.1 The Constitution.</p> <p>9.2 Adopting the Council's Policy Framework and determining matters involving a change or deviation from approved policy.</p> <p>9.3 Approving the Council's position relating to local government boundaries, electoral divisions or number of Council Members.</p> <p>9.4 By-law creating and management and promotion or making of local Acts.</p> <p>9.5 Determining matters</p>		<p><b>Chief Executive</b></p> <p>To act as Head of Paid Service under and for the purposes of section 4 of the Local Government and Housing Act 1989 and lead the senior management team</p> <p>To act as Electoral Registration Officer and Returning Officer for all elections, Parish Polls and Referendums and to take such action as is necessary to carry out those duties.</p> <p>To act as the Proper Officer for the Council, as defined by Section 270 (3) Local Government Act 1972</p> <p>To exercise any power to protect the interests and well being of the inhabitants of the Borough</p>	C –Cabinet as soon as reasonably

	<p>referred to Council by other bodies.</p> <p>9.6 Appointments (staff and Members)</p> <p>9.7 Determining the Council's Executive Arrangements.</p> <p>9.8 Appointment of Honorary Aldermen or bestowing Freedom of the Borough.</p>		<p>and the Council where it is considered necessary and desirable, in consultation with the Leader of the Council and the relevant Portfolio Holder and subject to notification of the relevant decision making body</p> <p>Staff Restructuring within budget including staff redundancies</p> <p>Day to day management of the Council's democratic processes. Amendments to Timetable of Meetings Member Substitutions at meetings</p> <p>Following resignation from a Council body, substitution of Members from same political group onto the Body for the remainder of the year.</p> <p>Replacement/substitution of members on Outside Bodies.</p> <p><b>Executive Directors</b> Day to day management of personnel function within the Council, including development of appropriate protocols in accordance with policy across the Council, including pay award negotiation, performance related pay, honoraria (as advised by Service managers or</p>	<p>practical and report to Council at next meeting</p> <p>Consultation with the Leader and Cabinet Member for Personnel.</p> <p>-Subject to notification from Group Leader or individual member</p> <p>-Subject to notification from Group Leader and agreement of CE.</p>
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			<p>Management Team in the case of service head or above), leave arrangements, recruitment arrangements, disciplinary arrangements including suspension of service/compromise/termination arrangements, retirement arrangements, implementation of job evaluation.</p> <p>Variation and termination of employment contracts, extension of service following retirement age, suspension, confirmation of employment following completion of probationary period.</p> <p>Appointment of Temporary employees for up to 12 months (PG6-13)</p> <p>Authorisation of payment of loans, pay in lieu, allowances, compensation and grants etc to staff and waiver of such repayments or payments due in appropriate cases in accordance with policy</p> <p>Designation and associated work related to casual/essential user car allowances/loans/hiring.</p> <p>Development of necessary protocols in accordance with overall legislation/policy</p>	
	9.10 Statutory Functions		<p><b>Legal Services Manager</b></p> <p>To maintain and update a list of statutory provisions under which the Council acting through any Executive Director may exercise powers</p>	



			<p>devolved to the Council</p> <p>Authorise, a prosecution, rights of entry, the commencement, defence or settlement of any legal proceedings brought by or against the Council, except in the case of Health and Safety at work prosecutions taken under the act or regulations made under the Act when the power to issue legal proceedings is given to the Health and Safety Inspectors be authorised under the relevant Health and Safety legislation.</p> <p>To act as Monitoring Officer (Local Government &amp; Housing Act 1989), Registrar of Local Land Charges, Authorised Officer (under the Regulation of Investigatory Powers Act 2000), Parish Trustee.</p> <p>To Act as Money Laundering Officer (Proceeds of Crime Act 1995)</p> <p>Sign and serve any notice, order or document or act as proper officer Local Government legislation where no other officer is currently appointed.</p> <p>To affix and attest the common seal of the Council where the common seal is required pursuant to any decision of the Council.</p> <p><b>Executive Directors - (Agreed Cncl 240113)</b>  To act as Chief Financial Officer under S.114 of the Local Government Finance Act 1988 and S.151 of the Local Government Act 1972</p>	
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			<p><b>Chief Executive</b>          Authorised Officer under the Regulation of Investigatory Powers Act</p> <p>To exercise the delegated powers of any Executive Director where they are absent for any reason or the post is vacant.</p> <p>Officers identified in the Council's Scheme of Delegation are permitted to authorise other officers to exercise delegated function, unless specifically (whether by statute or otherwise) prohibited from doing so.</p>	<p>*excluding any action involving the commencement of civil or criminal proceedings (delegated to LSM)</p>
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
10 <b>Cabinet</b>	<p>Individual delegations set out as per Portfolios above.</p> <p>10.1 Make recommendations to Council on corporate strategic and service policies and the detailed implementation of those policies</p> <p>10.2 Delivery of Services within the approved policy and budgetary framework and reviewing the operational framework functions and resources within it. Virement of funds in accordance with Financial Regulations</p> <p>10.3 Monitoring of the Councils Resources, make recommendations to Council on the overall Budget, Council Tax, and carry out any consultation required.</p> <p>10.4 To exercise any Executive function duty,</p>	<p>Delegations to individual portfolio holders apply equally to the Cabinet as a whole</p> <p>Report to Council</p> <p>Rec to Council</p>	Delegations as set out in portfolio groups	

	<p>action or power which is not delegated to any other Council Body in order to protect the Council's interests.</p> <p>10.5 Appoint representatives to Outside Bodies where they are Executive appointments.</p> <p>10.6 Refer any matter to Council for consideration.</p> <p>10.7 Commission Research into any matter or hold an enquiry into a particular issue or issues relating to the Borough or the Council at their discretion.</p>			
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
<b>11 Licensing and Appeals Committee and Sub-Committees thereof.</b>	<p>11.1 To decide on Licensing applications including under the Licensing Act 2003 where objections have been received, applications to review premises licence/club premises certificate and whether to object to licenses when Authority is a consultee.</p> <p>11.2 To decide on applications under the Gambling Act 2005.</p>	<p>ED</p> <p>ED</p>	<p><b>Executive Directors</b> To administer and decide on Licensing applications under the Relevant legislation where no objections have been made, or have been withdrawn.</p> <p><b>Executive Directors</b> To administer and determine Gambling Act applications where no objections have been made, or have been withdrawn.</p>	<p>Where irresolvable objections/representations made - LAC</p>
<b>12 Licensing and Appeals Board and Panels thereof.</b>	<p>12.1 To decide on appeals/disciplinary matters for hackney carriages and private hire vehicle driver licences and Homelessness appeals and staffing appeals</p>		<p><b>Executive Directors</b> Approval of applications for hackney carriages and private hire vehicle driver licences except those falling within the categories in paragraphs (i) to (v) below, when they will go to the Licensing and Appeals Board or panels thereof:-</p> <ul style="list-style-type: none"> <li>(i) Applications which disclose that the applicant has been convicted of an offence involving indecency or violence;</li> <li>(ii) Applications which disclose that the applicant has been</li> </ul>	

			<p>(iii) convicted of an offence involving dishonesty or drugs; Applications which disclose that the applicant has been convicted of an offence under the provisions of the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976;</p> <p>(iv) Applications which disclose that the applicant has been convicted of an offence relating to the driving or ownership of a motor vehicle and has more than six penalty points on his/her licence;</p> <p>(v) Applications which disclose that the applicant has committed a breach of, or failed to comply with, the terms of an existing or previous hackney carriage or private hire licence.</p> <p>To approve applications for hackney carriage and private hire drivers licences that fall within any of the categories set out in paragraphs (i) to (v) of the preceding paragraph if in the opinion of the Executive Director – G Hall, any offence by the applicant is so minor or irrelevant as to have no proper bearing on the determination of the application.</p>	
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		Consultation with Chr & V Chr and post decision to L&A Board for info	Road Traffic legislation - to “suspend or revoke a Hackney Carriage or Private Hire driver’s licence with immediate effect where the Licensing Authority are of the opinion that the interests of public safety require such course of action 21.3.13 L&AB	
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
<b>13 Appointments Board</b>	13.1 Full Board to appoint Chief Executive 13.2 Panels of Board to appoint Chief Officers 13.3 Panels of Board appoint Independent and Parish Council members of the Standards Committee*  13.4 Panels of the Board appoint members to the Independent Allowances Panel	Cabinet  Cabinet & CE  *Chairman/Vice-Chairman of Standards Committee		



Body	Functions	Consultations	Officer Delegations	Limits on delegation
<b>14 Standards Committee</b>	<p>14.1 Promote high standards of conduct within the Council</p> <p>14.2 Monitor the implementation and operation of the Codes of Conduct for Members, officers and towns &amp; parishes and confidential reporting codes, including development of protocols</p> <p>14.3 As a whole or in a Panel of the Committee to determine complaints made regarding breaches of the Code of Conduct</p>	MO	<p><b>Legal Services Manager /Monitoring Officer</b></p> <p>On behalf of the Committee to administer the local assessment of complaints and carry out investigations on complaints made under the Code of Conduct.</p> <p>To provide advice to Members and Towns &amp; Parishes including Clerks and Members on aspects of the Code</p>	