

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



SCHEME OF DELEGATION

August 2024

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
KLAC	=	Kings Lynn Area Committee
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.

The Portfolio Holder for Finance must be consulted in transactions which will result in expenditure over £250,000.

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 executive decision is made with the full knowledge of a Democratic Services Officer who shall ensure each decision is properly recorded and published.

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, the law 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, or where the job role has changed since the delegation was made, the delegation shall be to the officer whose role most closely mirrors the original role.

In the absence of the Chief Executive any powers failing to be exercised by her may be exercised by any Executive Director.

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

Portfolio Holder	Functions	Consultations	Officer Delegation
1. THE LEADER	1.1 Implementation of corporate Policy	CE/CFO/MO Requires rec to Council for any change.	Chief Executive / Monitoring Officer/Executive Directors / CFO Implement corporate policy and ensure Executive decisions are taken in accordance with the law, financial regulations and policy.
	1.2 Cross Cutting/Cross Remit issues/overarching responsibility for Cabinet portfolios/issues not covered by other portfolios	CE & ED & Portfolio holders	Chief Executive and Executive Directors Day to day management of the process
	1.3 Democratic Processes	MO	Chief Executive and Executive Directors Day to day management of the Council's democratic processes. Timetable of Meetings.
	1.4 Legal	CE and MO	Chief Executive / Monitoring Officer 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/property 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. Day to day management and delivery of legal services.	
	1.5 Communication strategy and implementation	ED	Chief Executive and Executive Directors Day to day management of communications on behalf of the Council, in accordance with Council Policy.	
	1.6 Civics	CE, Civics Officer Mayor or Deputy Mayor	Chief Executive To determine applications to use the Council's coat of arms. Chief Executive and Executive Directors Day to management of the office of the Mayor and Deputy Mayor and civic ceremony.	
	1.7 Equal Opportunities strategies and policies (not as the employer)		Chief Executive and Executive Directors Day to day management.	
	1.8 Public and Civil Emergencies, emergency planning and emergency management	Civil Emergency Liaison and CE Leader, Deputy Leader, MO	Chief Executive and Executive Directors To exercise any power to protect the interests and well-being of the inhabitants of the Borough in cases of emergency. Chief Executive and Executive Directors Day to day management of the Civil Emergency Plan	<i>C – Cabinet as soon as reasonably practical</i>
	1.9 Business Continuity	ED	Chief Executive and Executive Directors Day to day management of the process.	

	1.10 Policies relating to Employment, Personnel, Pay, Pensions, Training and equalities (as an employer)	ED	<p>Chief Executive and Executive Directors Implementation of service re-organisations and re-structuring within budget. Approval for the funding of training courses for both full and part time study for all employees. Updating the Performance Management Scheme.</p> <p>Chief Executive Changes to posts for senior staff (Executive Directors).</p>	<p>C ED</p> <p>C ED on Settlement agreements.</p>
	1.11 Performance Management including KPIs and Risk Management	ED, MO,CFO	<p>Chief Executive and Executive Directors Implementation of performance management reviews, production of performance management information and undertaking risk management Day to day management of the Corporate Risk Register and Service Level Risks</p>	
	1.12 GDPR, Freedom of Information and Data Protection	MO	<p>Monitoring Officer Respond to requests for information under the GDPR, Freedom of Information and Environmental Information legislation, requests under Data Protection legislation. Maintain Publication Scheme. Maintain Council's Data Protection registration. Authorise the use, loan or reproduction of the Councils archive material. Day to day oversight and management of policies and procedures relating to information governance.</p>	

	1.13 Developing and managing external strategic relationships		Chief Executive and Executive Directors Day to day management of the process	
	1.14 Shared services, Partnerships and Joint Working arrangements		Chief Executive and Executive Directors Day to day management of the process	
	1.15 Major funding, investment and housing delivery		Chief Executive and Executive Directors Oversight, day to day management and implementation major funding and Major Project schemes	
	1.16 Policy development and submission to Council	CE/CFO/MO	Chief Executive / Monitoring Officer/Executive Directors / CFO Provision of professional advice on policy review and development	
	1.17 Corporate Governance		Chief Executive / Monitoring Officer/Executive Directors / CFO Delivery of corporate governance across the Council	
	1.18 Customer Complaints		Chief Executive / Monitoring Officer/Executive Directors Day to day management and engagement with the Local Government and Social Care Ombudsman	
	1.19 Transformation	Leader, CE	Chief Executive / CFO/Executive Directors Day to day development and management of the transformation programme	

	1.20 Arrangements with West Norfolk Property Ltd and West Norfolk Housing Company Ltd		Chief Executive/Executive Directors Day to day management of contractual arrangements and relationships with the Council	
	1.21 Shareholder function in relation to the Council wholly owned companies (delegated to the Shareholder Committee)		Chief Executive / Monitoring Officer/CFO Undertaking role of Shareholder Representative, where so appointed by the Shareholder Committee	
	1.22 Arrangements with King's Lynn Town Board (including any future iteration)		Chief Executive / CFO/Executive Directors Day to day management of the governance arrangements with the King's Lynn Town Deal Board, acting as a King's Lynn Town Deal Board Member where so appointed and managing the role as Accountable Body for the Towns Fund	
	1.23 Overall responsibility for organisational culture and vision including the Corporate Strategy (as approved by Full Council) and Annual Plans		Chief Executive /Executive Directors Day to day development and management of the culture and strategic direction of the Council	
	1.24 Corporate Health and Safety		Chief Executive Day to day responsibility for the Council's corporate Health and Safety function.	
	1.25 Regeneration strategy, policy and implementation	ED	Chief Executive and Executive Directors Day to day management of Regeneration Projects.	

			Submission of bids for and Management of Regeneration projects. Chief Executive and Executive Directors Authorisation to retain professional expertise as required.	
	1.26 Executive Outside Bodies		Chief Executive Replacement/substitution of members on executive Outside Bodies	Subject to nomination from the Leader

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
2 Business & Culture and Deputy Leader	2.1 Culture and performing arts, including implementation of cultural strategy	ED	Chief Executive and Executive Directors Day to day management and delivery of the cultural strategy	C PH.
	2.2 Commercial Investment, development and promotion	ED	Chief Executive and Executive Directors Day to day management and implementation of strategies and schemes for commercial investment, development and promotion within the Borough.	C PH
	2.3 Museums & Heritage	ED	Executive Directors Day to day management and delivery of museum premises owned by the Council, including Stories of Lynn and strategy on heritage assets Day to day management of Heritage premises in the Council's ownership.	
	2.4 Promotion and Marketing of the Borough	ED	Chief Executive and Executive Directors Day to day promotion and marketing of the Borough.	

	2.5 Tourism	ED	<p>Executive Directors Day to day management of tourism premises owned or operated by the Council.</p> <p>Chief Executive and Executive Directors Day to day management of the tourism issues including strategy and management. Arranging or overseeing exhibitions, conferences and tourism as appropriate.</p>	
	2.6 Arts policies and strategies	ED	<p>Executive Directors Day to day operation of the policies.</p>	
	2.7 Determination of Applications for Circuses on Council property.		<p>Executive Directors Determination of applications to hold circuses on council land.</p>	
	2.8 Sports facilities, venues	ED	<p>Executive Directors Management and Maintenance of the fabric of all leisure and sports buildings. Responsibility for sports facility provision issues</p>	
	2.9 Arts/Theatre/ Entertainment facilities, venues	ED	<p>Monitoring Officer/ Executive Directors Management and Maintenance of the fabric of all arts and entertainment. Day to day management and delivery of the client function with Alive West Norfolk</p>	
	2.11 Leisure and Alive West Norfolk	ED	<p>Monitoring Officer/Executive Directors (subject to any conflicts in relation to Officer Directors) Day to day management and delivery of the leisure client function with Alive West Norfolk.</p>	ED

			Day to day management and delivery of any other leisure provision sitting outside of the arrangement with Alive West Norfolk	
	2.12 Business Partnerships		Chief Executive and Executive Directors Day to day management	
	2.13 King's Lynn BID		Chief Executive and Executive Directors Day to day management	
	2.14 Economic Development	ED	Chief Executive and Executive Directors Day to day management	
	2.15 Management and maintenance of the Industrial Estates	PH and PH for Finance where transaction over £250,000	Executive Directors Day to day management and maintenance of Council Industrial Estates interests together with the ability to authorise all related transactions at market rent/value. Subject to: <ul style="list-style-type: none"> • Acquisition or disposal of freehold land up to £499,999. • Acquisition or disposal of leasehold land up to an annual rental value of £499,999.* • Discharge or relaxation of freehold or leasehold covenants. • Determine all applications for the assignment of lease agreements**. • To approve or refuse applications to the Council as Landlord for any approval or consent. • Authorise non-Housing Act tenancies and licences. 	

			<ul style="list-style-type: none"> • Authorise the applications to release or relax restrictive covenants attached to houses formally owned by the Council 	
	2.16 Management and maintenance of council owned property assets (not Industrial Estates)(including but not limited to King's Court, Town Hall, the Depot, community centres, crematorium and cemeteries	PH and PH for Finance where transaction over £250,000 PH where property is in another portfolio holder's functional area	<p>Executive Directors 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"> • Acquisition or disposal of freehold land up to £499,999. • Acquisition or disposal of leasehold land up to an annual rental value of £499,999* • Discharge or relaxation of freehold or leasehold covenants. • Determine all applications for the assignment of lease agreements**. • To approve or refuse applications to the Council as Landlord for any approval or consent • Authorise non-Housing Act tenancies and licences • Authorise the applications to release or relax restrictive covenants attached to houses formally owned by the Council 	<p>C ED, PH * Financial limit not applicable to industrial estates where an unlimited rental is allowed. ** except where residential element.</p> <p>C ED</p> <p>C ED, PH, WM</p> <p>C ED, PH</p>
	2.17 Management of Ancient Corporate Estates		<p>Executive Directors Day to day management of the ancient corporate estates.</p>	
	2.18 Financial Support and grants (financial		<p>Executive Directors and CFO Day to day administration</p>	

	assistance scheme and SLAs)			
	2.19 Responsibility for policy development relating to property acquisition and disposal and submission to Council	CE/CFO/MO	Chief Executive and Executive Directors Provision of professional advice on policy review and development and implementation of adopted policies	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
3 Planning and Licensing	3.1 Development of Local plan, planning performance and Land Use Policies		Executive Directors Minor consequential amendments to planning policy in accordance with national and regional policy changes. Issuing of Local Plan guidance and information. Implementation of major strategic allocations Day to day management of performance of the Planning service.	C - ED

	3.2 Transport policies and joint implementation		Chief Executive and Executive Directors Responding to consultations on traffic regulation orders. Day to day management and delivery of joint transport policies and strategies	
	3.3 Planning Enforcement performance		Executive Directors Day to day management of the performance of the Planning Enforcement operation	
	3.4 Building control		CNC - Executive Directors 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 the right of entry to land and premises	
	3.5 Street naming and numbering	WM	Executive Directors Management of Street numbering and naming	
	3.6 Commons		Chief Executive and Executive Directors Management and operation	
	3.7 Compulsory Purchase Orders and Enforced Sale Procedures		Executive Directors Implementation of Compulsory Purchase Orders, having first been approved by Council, and Enforced Sale Procedures	

	3.8 Land Charges		Executive Directors Maintain the Register of Local Land Charges and Land Terrier.	
	3.9 Derelict Land and Buildings		Executive Directors Day to day management.	
	3.10 Community Infrastructure Levy (CIL)		Executive Directors Day to Day management and delivery	
	3.11 Planning and Delivery of Custom and Self Build Strategy		Executive Directors Day to day management	
	3.12 Licensing policies and performance		Chief Executive and Executive Directors Day to day implementation of the Licensing Policies, undertake consultations, engage with relevant stakeholders ad decisions on hackney carriage fires and designated ranks. Performance of the Licensing Function.	
	3.13 Parish Council Liaison		Chief Executive/Executive Directors/Monitoring Officer Day to day management of relationship with Parish Councils	
	3.14 Health & Safety policies and performance (not corporate)		Executive Directors Day to day management of policies and performance of the function	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
4 Finance	<p>4.1 All policies and Strategies relating to the council's finances having first been recommended by Cabinet and approved Council including (but not limited to):</p> <p>Budget Treasury Management Financial Management of assets Statement of Accounts Capital Strategy Fees and charges</p>	CE/CFO/MO Requires rec to Council for any change.	<p>Chief Executive / Executive Directors CFO / Monitoring Officer Ensure Executive decisions are taken in accordance with the law and financial and policy guidelines.</p> <p>Chief Executive and Executive Directors / CFO Day to day management. Write Off irrecoverable debts. 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. Day to day management of fees and charges.</p>	
	4.2 Procurement and Financial Regulations and Contract Standing Orders	ED	<p>Chief Executive and Executive Directors / CFO/MO Day to day management and enforcement of the Council's Procurement Strategy and Financial Regulations and Contract standing orders.</p>	

	4.3 External Audit, Internal Audit, Anti-fraud and Insurances	MO as necessary	<p>Chief Executive and Executive Directors / CFO Responsibilities under S.151 and S114 (Chief Financial Officer). Enforcement of Financial Regulations Day to day management of the Internal Audit function and process. Support the external Audit function and process Manage insurance for the Council, its property, wholly owned companies and employees. Day to day management of the Council's anti-fraud and corruption policies, including money laundering and anti-bribery</p>	
	4.4 Efficiencies, savings, income generation, external funding and Business Rate Growth		<p>Chief Executive and Executive Directors & CFO Day to day management</p>	
	4.5 Financial implications for the Council	ED	<p>Chief Executive and Executive Directors & CFO Day to day management</p>	
	4.6 Delivery Models		<p>Chief Executive and Executive Directors & CFO Development of future delivery models</p>	
	4.7 Housing benefit, revenues, welfare benefits and advice	ED	<p>Chief Executive and Executive Directors and CFO Administration of housing benefit and Council Tax benefit and discretionary housing payments. Collect, administer, demand and recover Council Tax and National Non-Domestic Rate precepts and any</p>	

			other Tax or Charge levied by the Council. Collection of rents.	
	4.8 West Norfolk Wins Lottery		Chief Executive and Executive Directors and CFO Day to day administration of Lottery	
	4.9 ICT and the web site	ED	Executive Directors Day to day management of the service.	
	4.10 Support and grants (where not covered by another portfolio)		Chief Executive and Executive Directors and CFO Day to day administration	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
5 Climate Change and Biodiversity	5.1 Climate Change Policies	ED	Chief Executive and Executive Directors Day to day management and implementation of policy Chief Executive and Executive Directors Development of policy	
	5.2 Energy strategy	ED	Chief Executive and Executive Directors Monitoring of energy efficiency measures to Council buildings. Day to day management and implementation of policies and strategies	
	5.3 Biodiversity, Local character		Executive Directors Day to day management.	
	5.4 Policies relating to air quality		Executive Directors Day to day management, implementation and development of policy	
	5.5 Active Travel (including cycling and the Ferry)		Chief Executive and Executive Directors Day to day management, implementation and development of policy.	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
6 Environment and Coastal	6.1 Policies and strategies relating to: Environmental Strategy, contaminated land	ED	Chief Executive and Executive Directors Day to day management and implementation.	
	6.2 Coastal Issues, Shoreline Management and flood water and water management including water quality/usage		Chief Executive and Executive Directors Day to day management and implementation.	
	6.3 All aspects of Recycling and refuse collection including waste minimisation and composting, Fly tipping and Waste Management Enforcement		Chief Executive and Executive Directors (subject to any conflicts in relation to Officer Directors) Day to day management including undertaking the Shareholder function in relation to any joint venture companies carrying out waste services.	
	6.4 Food Safety		Executive Directors Day to day management of the food related services.	
	6.5 To carry out the Council's functions as a Port Health Authority		Executive Directors To carry out the day to day functions of the Port Health Authority.	
	6.6 Infectious Diseases		Executive Directors Day to day management	

	6.7 Pollution control		Executive Directors Day to day management	
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Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
7 People and Communities	7.1 Housing Strategies and Associated Policies		Executive Directors Day to day delivery of housing and homeless strategies and policies including administration of the Council's Housing policies.	
	7.2 Housing Register		Executive Directors Management of Housing Register in accordance with policy and nominations of households to Registered Providers.	
	7.3 Homelessness		Executive Directors Exercise of homelessness functions.	
	7.4 Housing Standards in the Private Sector		Executive Directors Day to day delivery of housing standards role including housing enforcement and compliance functions.	
	7.5 Houses in Multiple Occupation (HMO)		Executive Directors Grant, renew and revoke all licences and issues under the relevant housing legislation.	

	7.6 Loans and grants for housing	CFO	Executive Directors Approval/refusal/withdrawal and authorisation of renovation grant scheme payments.	
	7.7 Home Improvement Agency, Care and Repair and associated operations and Careline		Executive Directors Day to day management of the Home Improvement Agency, Care and Repair and associated operations and Careline.	
	7.8 Residential Caravan Site Licensing		Executive Directors To grant, transfer or revoke licenses and exercise of duties in relation to residential caravans.	
	7.9 Social Inclusion		Chief Executive and Executive Directors Day to day management.	
	7.10 Gypsy, Roma and Travellers	WM	Executive Directors Exercise of function. Dealing with unauthorised encampments.	
	7.11 Public Health and Well-being including prevention, improvement, promotion, Healthier Lives Strategy and community care and Lily		Chief Executive and Executive Directors Day to day management.	
	7.12 Local Health Partnerships		Chief Executive and Executive Directors	
	7.13 Community Safety/Neighbourhood nuisance service including help hub, control of noise, odour,		Executive Directors General day to day management of the community safety service and compliance with	

	light, dust, smoke and other pollutants, Public Health. Land drainage and sewerage issues. Planning and Licensing consultations regarding the above. enforcement. Building Act 1984 and Housing Acts as relevant to environmental health		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.	
	7.14 Community initiatives and safety, transport and shop mobility		Chief Executive and Executive Directors Day to day management.	
	7.15 Council Information Centre and Customer Relations		Executive Directors Day to day management.	
	7.16 Assets of Community Value		Chief Executive and Executive Directors Day to day management of the process including maintaining Community Asset Register	
	7.17 Skills		Executive Directors Day to day management of the process	
	7.18 Safeguarding		Chief Executive and Executive Directors Day to day management and delivery of safeguarding policies and strategies	
	7.19 Care leavers		Executive Directors	

			Provision of support within the Council's functions	
	7.20 King's Lynn unparished area insofar as not delegated to King's Lynn Area Committee (KLAC)	KLAC	Chief Executive and Executive Directors Day to day support to unparished areas within the Council's functions, including to KLAC	
	7.21 Financial Support and grants (financial assistance scheme and SLAs)		Executive Directors and CFO Day to day administration	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
8 Events and open spaces	8.1 Car Parking operations		Executive Directors Day to day management including decisions on making and amending Car Park Orders and entering and managing external contracts with other local authorities for the provision of their on-street and off-street parking enforcement and ancillary support	
	8.2 CCTV		Executive Directors	

			Day to day management including entering and managing external contracts with other local authorities for the provision of CCTV services	
	8.3 Public conveniences	WM	Executive Directors Management and maintenance of the Council's public conveniences.	
	8.4 Open and Green Spaces policies and strategies	ED	Chief Executive and Executive Directors Day to day operation of the policies and implementation.	
	8.5 Parks, Gardens and amenity areas including play areas and allotments	WM, ED	Executive Directors Day to day management of such facilities including exclusion of persons as necessary	
	8.6 Street Scene, public cleansing, street lighting and bus shelters		Executive Directors Day to day management.	
	8.7 Town Centre Management		Chief Executive and Executive Directors Day to day management of town centres	
	8.8 Crematorium and Cemeteries		Executive Directors Day to day operational management	
	8.9 Liaison with Downham and Hunstanton Town Councils		Chief Executive and Executive Directors Day to day management of the process	
	8.10 Christmas Lighting		Executive Directors Provision of Christmas lighting across the Borough	

	8.11 Events in King's Lynn and Markets and Fairs		Executive Directors Day to day administration of events in King's Lynn and Markets and Fairs in the Borough	
	8.12 Resort and Seafront Management	WM, ED	Executive Directors Day to day management of resorts and seafront	
	8.13 Depot Operational Arrangements		Executive Directors Day to day management	

Body	Functions	Consultations	Officer Delegations	Limits on delegation
10 Council	<p>10.1 The Constitution.</p> <p>10.2 Adopting the Council's Policy Framework and determining matters involving a change or deviation from approved policy.</p> <p>10.3 Approving the Council's position relating to local government boundaries, electoral divisions or number of Council Members.</p> <p>10.4 By-law creating and management and promotion or making of local Acts.</p> <p>10.5 Determining matters referred to Council by other bodies.</p> <p>10.6 Appointments (staff and Members)</p> <p>10.7 Determining the Council's Executive Arrangements.</p> <p>10.8 Appointment of Honorary Aldermen or bestowing Freedom of the Borough.</p>		<p>Chief Executive</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>Executive Director</p> <p>To act as Deputy Electoral Registration Officer and Deputy Returning Officer</p> <p>Chief Executive</p> <p>To act as the Proper Officer for the Council, as defined by Section 270 (3) Local Government Act1972</p> <p>To exercise any power to protect the interests and wellbeing of the inhabitants of the Borough and the Council where it is considered necessary and desirable, in consultation with the Leader of the Council and the relevant Portfolio Holder and</p>	<p>C –Cabinet as soon as reasonably practical and report to Council at next meeting</p>

		<p>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. 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>Chief Executive 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 Management Team in the case of service head or above), leave arrangements, recruitment arrangements, disciplinary arrangements including suspension of</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>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>Power to appoint staff.</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>	
	10.9 Statutory Functions		<p>Monitoring Officer</p> <p>To maintain and update a list of statutory provisions under which the Council acting through any Executive Director may exercise powers 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 & 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>To authorise changes to this Scheme of Delegation to reflect any changes made by the Leader of the Council regarding the Portfolios held by Cabinet Members, including the Leader's portfolio, in consultation with the Leader.</p> <p>Assistant Director Resources</p>	
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			<p>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> <p>Chief Executive 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>
	Health and Safety where not as the employer		<p>Chief Executive and Executive Directors 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.</p>	

Body	Functions	Consultations	Officer Delegations	Limits on Delegation
<p>11 Cabinet</p>	<p>Individual delegations set out as per Portfolios above.</p> <p>11.1 Make recommendations to Council on corporate strategic and service policies and the detailed implementation of those policies</p> <p>11.2 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>11.3 Monitoring of the Councils Resources, make recommendations to Council on the overall Budget, Council Tax, and carry out any consultation required.</p> <p>11.4 To exercise any Executive function duty, action or power which is</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>	<p>Delegations as set out in portfolio groups</p>	

	<p>not delegated to any other Council Body in order to protect the Council's interests.</p> <p>11.5 Appoint representatives to Outside Bodies where they are Executive appointments.</p> <p>11.6 Refer any matter to Council for consideration.</p> <p>11.7 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
<p>12 Licensing and Appeals Committee and Sub-Committees thereof.</p>	<p>121 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. 122 To decide on applications under the Gambling Act 2005.</p>	<p>ED</p> <p>ED</p>	<p>Executive Directors To administer and decide on Licensing applications under the Relevant legislation where no objections have been made or have been withdrawn.</p> <p>Executive Directors 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>
<p>13 Licensing and Appeals Board and Panels thereof.</p>	<p>13.1 To decide on appeals/disciplinary matters for hackney carriages and private hire vehicle driver licences and Homelessness appeals and staffing appeals</p>		<p>Executive Directors 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"> (i) Applications which disclose that the applicant has been convicted of an offence involving indecency or violence; (ii) Applications which disclose that the applicant has been 	

			<ul style="list-style-type: none"> (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; (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; (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>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
<p>14 Appointments Board/Investigating and Disciplinary Committee</p>	<p>14.1 Full Board to appoint Chief Executive 14.2 Panels of Board to appoint Chief Officers 14.3 Panels of Board appoint Independent and Parish Council members of the Standards Committee* 14.4 Panels of the Board appoint members to the Independent Allowances Panel 14.5 To consider complaints against statutory officers.</p>	<p>Cabinet Cabinet & CE *Chair/Vice-Chair of Standards Committee</p>		

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