

## AGENDA

### GENERAL PURPOSES COMMITTEE MEETING

Date: Wednesday, 12 January 2022

Time: 5.30 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent ME10 3HT\*

Membership:

Councillors Mike Baldock (Vice-Chairman), Angela Harrison, Ken Ingleton, Denise Knights, Ben J Martin, David Simmons, Roger Truelove (Chairman), Mike Whiting and Corrie Woodford.

Quorum = 3

---

Pages

#### Information for the Public

\*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website on 11 January 2022.

Meeting link: to be added

#### Privacy Statement

**Swale Borough Council (SBC) is committed to protecting the privacy and security of your personal information. As data controller we ensure that processing is carried out in accordance with the Data Protection Act 2018 and the General Data Protection Regulations. In calling to join the meeting your telephone number may be viewed solely by those Members and Officers in attendance at the MS Teams meeting and will not be shared further. No other identifying information will be made available through your joining to the meeting. In joining the meeting you are providing the Council with your consent to process your telephone number for the duration of the meeting. Your telephone number will not be retained after the meeting is finished.**

**If you have any concerns or questions about how we look after your personal information or your rights as an individual under the Regulations, please contact the Data Protection Officer by email at [dataprotectionofficer@swale.gov.uk](mailto:dataprotectionofficer@swale.gov.uk) or by calling 01795 417179.**

#### Recording Notice

Please note: this meeting may be recorded, and the recording may be added to the website.

At the start of the meeting the Chairman will confirm if all or part of the meeting

is being audio recorded. The whole of the meeting will be recorded, except where there are confidential or exempt items.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained in accordance with the Council's data retention policy.

Therefore by entering the meeting and speaking at Committee you are consenting to being recorded and to the possible use of those sound recordings for training purposes.

If you have any queries regarding this please contact Democratic Services.

#### 1. Emergency Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

#### 2. Apologies for Absence and Confirmation of Substitutes

#### 3. Minutes

To approve the [Minutes](#) of the Meeting held on 12 May 2021 (Minute Nos. 632 - 633) as a correct record.

#### 4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or

person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary Interests (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

- |    |  |         |
|----|--|---------|
| 5. | Constitutional Amendments: Delegations to the Chief Executive  | 5 - 10  |
|    | To discuss the report to be considered by the Emergency Committee.                                       |         |
| 6. | Constitutional Amendments: Consequential Changes to Officer Delegations following Management Restructure | 11 - 20 |
|    | To discuss the report to be considered by the Emergency Committee.                                       |         |

## **Issued on Tuesday, 4 January 2022**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of this Committee, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

**Chief Executive, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

This page is intentionally left blank

<b>Emergency Committee</b>	
<b>Meeting Date</b>	12 January 2022
<b>Report Title</b>	<b>Constitution amendment: Delegation to Chief Executive</b>
<b>Cabinet Member</b>	Cllr Mike Baldock – Deputy Leader
<b>SMT Lead</b>	David Clifford – Head of Policy, Governance and Customer Services (Monitoring Officer)
<b>Head of Service</b>	
<b>Lead Officer</b>	
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	Emergency committee is asked to:  1. <b>Agree</b> to add the delegation in paragraph 3.1 of the report to the list of the chief executive’s delegations.

## 1 Purpose of Report and Executive Summary

- 1.1 This report proposes an addition to the chief executive’s delegations as a means of ensuring that council decision-making can continue safely during the pandemic in the absence of any legislative action to enable a return to remote council meetings.

## 2 Background

- 2.1 In response to the alarming spread of the omicron variant, the government announced in early December that ‘Plan B’ was to be implemented with immediate effect. While stopping short of anything more closely resembling the lockdown witnessed in earlier phases of the pandemic, Plan B does include advice to everyone to work from home whenever this is possible. Given the ongoing rise in transmissions nationally and the lack of clarity about whether and when this will translate into (further) increased hospital admissions, the situation clearly remains extremely fluid and uncertain.
- 2.2 At the start of the first lockdown, the government introduced the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. Among other flexibilities, these specified that references in primary legislation to ‘meetings’ of local authorities did not have to be interpreted as physical meetings held in a single place, and that decisions made by members meeting virtually using Teams, Skype or similar technology were valid.

- 2.3 Members will recall that Swale took full advantage of this, with a full schedule of meetings, including council and even annual council meetings, taking place during the time that the 2020 regulations were in force. However, the regulations included a sunset clause specifying that they would expire on 7 May 2021, after which date virtual meetings would no longer be able to make legally robust decisions.
- 2.4 Despite lobbying from across the sector, the government declined to extend these regulations, and a failed bid by Hertfordshire County Council and the Association of Democratic Services Officers to have a court reinterpret the Local Government Act 1972 ended what little legal flexibility might have remained by precipitating a judgment stating unambiguously that references to 'meetings' in legislation could only be interpreted as people physically gathered in a single place, and that changing this was properly a matter for parliament rather than the courts.
- 2.5 In common with most councils, Swale's response to the ending of virtual meetings prior to the ending of the pandemic has been pragmatic, with non-decision-making meetings continuing to be held mostly online but with members meeting physically in as safe a way as possible when critical decisions need to be taken, generally with the public, visiting members and officers able to participate in 'hybrid' meetings by dialling in remotely.
- 2.6 Government has advised councils also to consider other options for enabling decision-making to continue, including meeting with only a minimum quorum of members present and making greater use of delegations to enable decision-making by individuals. There are examples of councils utilising both of these options effectively. For Swale, there is also the option of continuing to transact necessary full council business through the emergency committee, whose terms of reference are precisely to substitute for council when it cannot meet.
- 2.7 The minimum quorum option could be a realistic one in authorities whose membership is split between a small number of relatively large political groups, but maintaining reasonable political balance in a council such as Swale, with a high number of small groups, would in practice mean that many more members would have to be present than the minimum number theoretically required for a quorate meeting. Some councils have experienced issues with members declining to absent themselves from meetings, which has the potential to cause real difficulties.
- 2.8 The option of providing delegated authority to the chief executive to be the formal decision-maker on matters is one which several authorities are using to enable decision-making to continue without requiring members to meet physically. Under this system, members (whether the full council or committees) meet virtually to debate matters in the usual way, and then hold an indicative vote to express their support or lack of it for the recommendations. Following this, the chief executive uses a delegation to take a formal decision, having regard to the members' discussion and vote.

- 2.9 Subject to members' agreement, it is considered that this approach could constitute a useful additional weapon in the council's arsenal for keeping decision-making going during the ongoing pandemic and in the absence of further action by government.

### 3 Proposals

- 3.1 The proposal is therefore to provide the chief executive with the following delegation:

*In emergencies or any other circumstance which makes it impractical for the council, cabinet or a committee to meet, to take any decision which could be taken by the council, cabinet or a committee (save for any decision expressly reserved to full council under statutory or regulatory provisions), having regard as fully as possible to the views of the members who would otherwise have made the decision.*

- 3.2 It is important for members to be aware that in making use of a delegation of this nature, the chief executive would not be able simply to 'rubberstamp' whatever indicative decision had been agreed by members. As the sole legal decision-maker in a matter, she would be obliged – in the same way that members are when they are making decisions, or that officers are when utilising other delegations – to take account of all relevant considerations, of which the indicative decision by members would of course be a very weighty one.

- 3.3 The constitution as it stands offers a safeguard against the misuse of any delegation by officers, stating that:

*Before deciding whether to exercise the delegation the officer concerned should ensure that the Director and/or Heads of Service have considered whether the matter is of a controversial nature, or involving significant changes in policy, to require consultation upon, with the relevant Committee Chairman or Cabinet Member, and recorded or agreement reached to report to the Cabinet, Council and Committee as appropriate.*

- 3.4 In practice, with regard to controversial, high-profile or politically contested matters, it would probably be necessary to find an alternative means for having the decision made. In the absence of any other option, of course, this would probably have to involve a physical meeting, whether of a full committee or a minimum quorum of members. The purpose of providing this delegation to the chief executive is instead to enable routine but necessary decision-making to continue in a safe way in the event that either the covid rules or the covid situation continue to make physical meetings impossible or unadvisable.

- 3.5 The emergency committee is now **recommended** to agree to add the delegation in paragraph 3.1 above to the list of the chief executive's delegations.

## 4 Alternative Options

- 4.1 The alternative option to agreeing this new delegation is simply not to agree it. The intention behind the recommendation is to provide a further tool in the council's toolbox for coping with the ongoing public health crisis in the absence of government action to bring forward legislation enabling remote meetings. In the event that members do not agree the recommendation, the options open to the council would be to meet as full council or full committees in as safe a way as possible, or to attempt to implement the minimum quorum approach, however imperfectly that would have to happen given Swale's political composition.

## 5 Consultation Undertaken or Proposed

- 5.1 Group leaders have been consulted in preparing this report. The report is due to be considered by the general purposes committee immediately prior to the emergency committee meeting, and a verbal update on the outcome of that discussion will be given at the meeting.

## 6 Implications

Issue	Implications
Corporate Plan	Not applicable. This report is about how decisions are made rather than what decisions are made.
Financial, Resource and Property	No implications identified at this stage.
Legal, Statutory and Procurement	Section 101 of the Local Government Act 1972 sets out how councils can arrange for their functions to be discharged by committees or officers. Both the 1972 and other Acts specify particular functions which can only be discharged by either the full council or a specific committee; this point is covered by the text in brackets in the proposed delegation (§ 3.1). The legal team are confident that decisions made by the chief executive under the delegation will be legally robust as long as she takes all relevant considerations into account and is not seen to be simply rubberstamping the indicative decision made by members. The existing arrangements for recording officers' decisions under delegated authority and their reasons for those decisions would be used to ensure appropriate records are maintained.
Crime and Disorder	No implications identified at this stage.
Environment and Climate/Ecological Emergency	No implications identified at this stage.



Health and Wellbeing	Given the unpredictability of the pandemic and of councils' future roles in keeping people safe from it, it is conceivable that an ability to make decisions about Swale's covid response quickly, efficiently and safely could have a beneficial impact on health and wellbeing in the borough.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified at this stage.
Risk Management and Health and Safety	No implications identified at this stage, but see under 'Legal, Statutory and Procurement' for a discussion of legal risk.
Equality and Diversity	No implications identified at this stage.
Privacy and Data Protection	No implications identified at this stage.

## **7 Appendices**

7.1 There are no appendices.

## **8 Background Papers**

8.1 There are no background papers.

This page is intentionally left blank

<b>Emergency Committee</b>	
<b>Meeting Date</b>	12 January 2022
<b>Report Title</b>	<b>Constitution amendments: Consequential updates to officer delegations</b>
<b>Cabinet Member</b>	Cllr Mike Baldock – Deputy Leader
<b>SMT Lead</b>	David Clifford – Head of Policy, Governance and Customer Services (Monitoring Officer)
<b>Head of Service</b>	
<b>Lead Officer</b>	
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	Emergency committee is asked to: <ol style="list-style-type: none"> <li>1. <b>Agree</b> the updates and other changes to the officer scheme of delegation set out in Appendix I.</li> <li>2. <b>Give delegated authority</b> to the monitoring officer to make further minor amends to the officer scheme of delegation in consequence of the management restructure, for example to update job titles.</li> <li>3. <b>Agree</b> the further new and amended delegations set out in the table in paragraph 3.3.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report proposes consequential updates to officer delegations following the recent restructure of the management team, as well as a number of other amendments and additions to officer delegations which do not flow from the restructure. The reasons for these latter delegations are provided in the report.

## 2 Background

- 2.1 One of the first tasks of the new chief executive following her arrival in Swale in January 2020 was to reorganise the management team to bring its structure more into line with a typical district council and to ensure that council resources were configured in a way that would best ensure the achievability of members’ priorities. In addition to some changes to the split of responsibilities between existing heads of service, the restructure has seen the creation of two new director posts and some additional resource at the head of service level.
- 2.2 The constitution is clear that delegations to individual officers are ‘inherited’ by successor posts following structural changes, thus ensuring that functions can continue to be discharged on a day-to-day basis. The entire scheme of officer delegations is currently being reviewed as part of the wider changes to the

constitution which are necessary as a result of the decision taken by full council in October to move to a committee system of governance from May.

Notwithstanding the fact that this exercise is likely to result in further changes in the near future, in view of the scale of recent changes to the officer structure, it makes sense to update the delegations at this juncture to ensure that the constitution accurately reflects the current management structure.

- 2.3 In addition to these routine changes which are simply the consequence of the management restructure, there are a number of new or amended delegations which have been requested by officers, which are also set out in the following section.

### 3 Proposals

- 3.1 Appendix I sets out a schedule of proposed changes to the officer delegation list, and includes a column indicating the reason for the proposed amendment. In most cases, these are no more than consequential updates following the transfer of responsibility from one post to another, but as ever with such updates, there are some proposals which are simply making use of the opportunity to improve the wording of the constitution to make it clearer or more concise.
- 3.2 The emergency committee is now **recommended** to agree the updates and other changes set out in Appendix I, and to give delegated authority to the monitoring officer to make further minor amends to the officer scheme of delegation in consequence of the management restructure, for example to update job titles.
- 3.3 A number of further requests for new or amended delegations have been received from senior officers, which cannot be said to fall under the category of straightforward consequential updates. These are set out in the table below, together with a brief rationale.

Delegee / Type	Wording	Rationale
Director of Regeneration and Neighbourhoods; Head of Housing and Community Services; Head of Regeneration and Economic Development; Head of Environment and Leisure. Amended delegation.	To provide management and administration of grant schemes and payments, including the signing and sealing of grant agreements, in accordance with the council's policy framework and/or the requirements of the funding body.	The Head of Housing and Community Services already has a delegation 'to provide management and administration of local grant schemes and payments in accordance with the agreed policy framework'. The same delegation needs to be provided to the Director and the other HoS in the directorate, and recent experience with government grant schemes during covid has demonstrated the need for the wording to be expanded to cover signing and sealing of agreements.

Head of Environment and Leisure. New delegation.	To grant reductions in burial fees and charges, on a case-by-case basis, where the Council has admitted fault in a service or burial.	There are sadly occasions in which burials are disrupted or have to be postponed through a fault of the Council's. Custom and practice is for the HoS to grant a reduction in the fee, but this should ideally be reflected in a formal delegation.
Head of Housing and Community Services. New delegation.	To implement and enforce the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.	New delegation to enable the HoS to discharge the council's functions under recent legislation.
Head of Housing and Community Services. New delegation.	To implement and enforce the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 in relation to private sector rented properties.	New delegation to enable the HoS to discharge the council's functions under recent legislation.
Head of Housing and Community Services. New delegation.	To implement and enforce relevant housing provisions of the Housing and Planning Act 2016 or regulations made under the Act.	New delegation to enable the HoS to discharge the council's functions under recent legislation.

3.4 The emergency committee is now **recommended** to agree the new and amended delegations set out in the table above.

## 4 Alternative Options

4.1 Members could decide not to update the scheme of officer delegations, with regard either to the consequential updates following the management restructure (Appendix I) or to the new or amended delegations requested by officers (§§ 3.3ff. above). The officers' view, including that of the monitoring officer, is that such a decision would not be conducive to the efficient or effective discharge of the council's functions.

## 5 Consultation Undertaken or Proposed

5.1 All affected officers have been consulted in the preparation of this report. The report is due to be considered by the general purposes committee immediately prior to the emergency committee meeting, and a verbal update on the outcome of that discussion will be given at the meeting.

## 6 Implications

Issue	Implications
Corporate Plan	Not applicable. This report is about how decisions are made rather than what decisions are made.
Financial, Resource and Property	No implications identified at this stage.
Legal, Statutory and Procurement	Section 101 of the Local Government Act 1972 sets out how councils can arrange for their functions to be discharged by committees or officers. The recommendations in this report ensure that Swale's scheme of officer delegations created under the 1972 Act remains up to date, enabling council functions to be discharged efficiently and effectively.
Crime and Disorder	The scheme of officer delegations includes delegations relating to the council's crime and disorder functions. The recommendations in the report ensure that these are kept up to date.
Environment and Climate/Ecological Emergency	The scheme of officer delegations includes delegations relating to the council's environmental functions. The recommendations in the report ensure that these are kept up to date.
Health and Wellbeing	The scheme of officer delegations includes delegations relating to the council's health and wellbeing functions. The recommendations in the report ensure that these are kept up to date.
Safeguarding of Children, Young People and Vulnerable Adults	The scheme of officer delegations includes delegations relating to the council's safeguarding functions. The recommendations in the report ensure that these are kept up to date.
Risk Management and Health and Safety	The scheme of officer delegations includes delegations relating to the council's health and safety functions. The recommendations in the report ensure that these are kept up to date.
Equality and Diversity	No implications identified at this stage.
Privacy and Data Protection	No implications identified at this stage.

## 7 Appendices

7.1 The following appendices are to be published with this report and form part of the report:

- Appendix I – Schedule of consequential updates.

## **8 Background Papers**

8.1 There are no background papers.

This page is intentionally left blank



**APPENDIX I: CONSEQUENTIAL AMENDS TO OFFICER DELEGATIONS FOLLOWING MANAGEMENT RESTRUCTURE**

CURRENT WORDING	PROPOSED WORDING	REASON FOR CHANGE
<b>INTRODUCTION</b>		
<p><b>Conflicts of interest</b>                      Every officer is responsible for identifying whether he/she has any conflict of interest in any matter which is under consideration, actual or perceived, within the authority, and notifying the authority (including under Section 117 of the Local Government Act 1972).                      Where an officer has a conflict of interest in any matter because of a conflict of interest, the matter shall be discharged by the Director of Regeneration, or by such officer as they shall determine for this purpose.                      Where the Chief Executive is unable to act on a matter because of a conflict of interest, the Chief Executive shall discharge the matter him/herself or allocate the matter to another officer.                      Where the Director is unable to act on a matter because of a conflict of interest, the Chief Executive shall discharge the matter him/herself or allocate the matter to another officer.                      Where the Monitoring Officer is unable to act on a matter in his/her statutory capacity under Section 5 of the Local Government and Housing Act 1989, the matter shall be discharged by the officer designated by the Monitoring Officer as Deputy Monitoring Officer.                      Where the Monitoring Officer is unable to act on a matter under the Localism Act 2011 in relation to Member conduct, the matter shall be discharged by the person appointed by the Monitoring Officer for this purpose under Section 82A of the Local Government Act 2000.                      Where any other officer is unable to act on a matter, that officer's line manager or the Chief Executive may arrange for another officer to discharge the matter.</p>	<p><b>Conflicts of interest</b>                      Every officer is responsible for identifying whether s/he has any conflict of interest, actual or perceived, in any matter on which it would otherwise fall to her/him to make a decision, and for notifying the authority of this (including under s117 of the Local Government Act 1972).                      Where any officer is unable to act on a matter because of a conflict of interest, that officer's line managers up to and including the Chief Executive may discharge the matter or arrange for another officer to discharge the matter.                      Where the Chief Executive is unable to act on a matter because of a conflict of interest, the Chief Executive will arrange for another officer to discharge the matter.                      Where the Monitoring Officer is unable to act on a matter in her/his statutory capacity under s5 of the Local Government and Housing Act 1989, the matter shall be discharged by the Deputy Monitoring Officer.                      Where the Monitoring Officer is unable to act on a matter under the Localism Act 2011 in relation to Member conduct, the matter shall be discharged by the person appointed by the Monitoring Officer for this purpose under s82A of the Local Government Act 2000.</p>	<p>General improvements to wording</p>
<b>CHIEF EXECUTIVE</b>		
<p>To exercise the power to appoint a Person in respect of disciplinary investigations or proceeding in respect of the Monitoring Officer or Chief Financial Officer. This delegation is to be exercised in consultation with the Leader and in accordance with Part 4.8 of the Constitution</p>	<p>To exercise the power to appoint a person in respect of disciplinary investigations or proceedings in respect of statutory officers. This delegation is to be exercised in consultation with the Leader and in accordance with Part 4.8 of the Constitution.</p>	<p>To clarify that the power is in respect of statutory officers.</p>
<b>DELEGATIONS TO DIRECTORS [NEW SECTION]</b>		
<p>[These delegations previously sat with the Regeneration Director alone.]</p>	<p>To award contracts for the winning tender in accordance with Contract Standing Orders.                      In consultation with the relevant cabinet member, to authorise waivers to competitive tendering process for the amounts not exceeding the limit set out in Contract Standing Orders.                      In consultation with the relevant cabinet member, to authorise the extension of contracts for amounts not exceeding the limit set out in Contract Standing Orders.                      To appoint staff within the approved establishment. The Chief Executive has delegated authority to Directors for all appointments, discipline and dismissal of staff below Heads of Service within their Directorate.                      To authorise Occasional or Regular Car User Allowances in accordance with the Council's Conditions of Service.                      To determine requests for honoraria within their directorate in accordance with the Council's HR policies.</p>	<p>To create a new section for delegations common to all directors, in the same way that there is a section for delegations common to all heads of service.</p>
<b>DIRECTOR OF REGENERATION</b>		
<p>[All delegations listed under 'Delegations to Directors' above.]</p>	<p><b>DIRECTOR OF REGENERATION AND NEIGHBOURHOODS</b>                      [These delegations have all moved to sit under 'Delegations to Directors'.]</p>	<p>As above.</p>

**APPENDIX I: CONSEQUENTIAL AMENDS TO OFFICER DELEGATIONS FOLLOWING MANAGEMENT RESTRUCTURE**

CURRENT WORDING	PROPOSED WORDING	REASON FOR CHANGE
<b>DIRECTOR OF RESOURCES [NEW SECTION]</b>		
[A delegation similar to this previously sat with the Chief Financial Officer, but omitted the wording 'On designation by the Council'.]	On designation by the Council, to be the Chief Financial Officer and be responsible for the administration of the financial affairs of the Council under Section 151 of the Local Government Act 1972 (as amended); to exercise the duties of the Chief Financial Officer under Section 114 of the Local Government Finance Act 1988; and to discharge functions under the Accounts and Audit Regulations 2011.	Creation of new director post; deletion of CFO post.
[New delegations.]	[All delegations which previously sat under the Chief Financial Officer.]	Creation of new director post; deletion of CFO post.
<b>CHIEF FINANCIAL OFFICER [DELETED SECTION]</b>		
[All delegations except the below.]	[These delegations have all moved to sit under the Director of Resources as s151/Chief Financial Officer.]	Creation of new director post; deletion of CFO post.
<b>Anti-idling Legislation</b> To authorise relevant officers or persons to stop the commission of stationary idling offences and issue fixed penalty notices (FPNs) in respect of such offences, in accordance with Regulation 6(3) of the 2002 Regulations.	[Moved to sit under the Mid-Kent Environmental Services Manager.] (This continues to be a delegation shared with the Head of Environment and Leisure.)	Deletion of CFO post.
<b>HEAD OF FINANCE AND PROCUREMENT [NEW SECTION]</b>		
To develop the key Commissioning and Procurement Strategies, Plans and Procedures for officers to follow.	[These delegations covering commissioning, procurement and contract management all previously sat under the Head of Environment and Leisure.]	Transfer of responsibilities following restructure.
To monitor and make suggested changes to the Contract Standing Orders document in order to comply with legislation.		
To agree waivers in accordance with Contract Standing Orders.		
To agree to the extension or termination of contracts within the parameters set out in Contract Standing Orders.		
Monitor and record expressions of interest for the Community Right to Challenge as per the Localism Act 2011 and The Community Right to Challenge (Expressions of Interest and Excluded Services) (England) Regulations 2012.		
<b>HEAD OF ENVIRONMENT AND LEISURE</b>		
[Delegations covering commissioning, procurement and contract management set out above.]	[These delegations have all moved to the Head of Finance and Procurement.]	As above.
[This delegation has moved from the Head of Housing, Economy and Community Services.]	To manage green infrastructure projects and promote biodiversity.	Transfer of responsibilities following restructure.

**APPENDIX I: CONSEQUENTIAL AMENDS TO OFFICER DELEGATIONS FOLLOWING MANAGEMENT RESTRUCTURE**

<b>CURRENT WORDING</b>	<b>PROPOSED WORDING</b>	<b>REASON FOR CHANGE</b>
<b>HEAD OF HOUSING, ECONOMY AND COMMUNITY SERVICES</b>	<b>HEAD OF HOUSING AND COMMUNITY SERVICES</b>	
[New delegations.]	[All delegations which previously sat under Licensing and Resilience.]	Transfer of responsibilities following restructure.
To manage the CCTV partnership agreement and take decisions on service provision.	To manage the CCTV service.	Changes to service operating model.
To work in partnership to enable the delivery of arts, heritage and cultural activities in Swale.	[These delegations have moved to the Head of Regeneration and Economic Development.]	Transfer of responsibilities following restructure.
To manage the preservation and development of cultural and heritage infrastructure.		
To implement key regeneration projects across the Borough.		
To enable synergy between the Council, learning providers and local businesses.		
To manage green infrastructure projects and promote biodiversity	[Delegation moved to Head of Environment and Leisure.]	Transfer of responsibilities following restructure.
<b>HEAD OF REGENERATION AND ECONOMIC DEVELOPMENT [NEW SECTION]</b>		
[These delegations have moved from the Head of Housing, Economy and Community Services.]	To work in partnership to enable the delivery of arts, heritage and cultural activities in Swale.	Transfer of responsibilities following restructure.
	To manage the preservation and development of cultural and heritage infrastructure.	
	To implement key regeneration projects across the Borough.	
	To enable synergy between the Council, learning providers and local businesses.	
[New delegations.]	To enable the delivery of tourism projects across the Borough.	
[New delegations.]	[All delegations which previously sat under the Head of Property.]	Transfer of responsibilities following restructure.
<b>HEAD OF PROPERTY [DELETED SECTION]</b>		
[All delegations.]	[All delegations which previously sat under the Head of Property have moved to sit under the Head of Regeneration and Economic Development.]	Deletion of post.
<b>MID-KENT ENVIRONMENTAL SERVICES MANAGER</b>		
[This delegation previously sat under the Chief Financial Officer.] (This is a shared delegation with the Head of Environment and Leisure.)	To authorise relevant officers or persons to stop the commission of stationary idling offences and issue fixed penalty notices (FPNs) in respect of such offences, in accordance with Regulation 6(3) of the 2002 Regulations.	Transfer of responsibilities following restructure.
<b>LICENSING AND RESILIENCE MANAGER [DELETED SECTION]</b>		
[All delegations.]	[All delegations have moved to Head of Housing and Community Services.]	Transfer of responsibilities following restructure.

This page is intentionally left blank