

APPENDIX I: CONSEQUENTIAL AMENDS TO OFFICER DELEGATIONS FOLLOWING MANAGEMENT RESTRUCTURE

CURRENT WORDING	PROPOSED WORDING	REASON FOR CHANGE
INTRODUCTION		
<p>Conflicts of interest 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>Conflicts of interest 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>
CHIEF EXECUTIVE		
<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>
DELEGATIONS TO DIRECTORS [NEW SECTION]		
<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>
DIRECTOR OF REGENERATION		
<p>[All delegations listed under 'Delegations to Directors' above.]</p>	<p>DIRECTOR OF REGENERATION AND NEIGHBOURHOODS [These delegations have all moved to sit under 'Delegations to Directors'.]</p>	<p>As above.</p>

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DIRECTOR OF RESOURCES [NEW SECTION]		
[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.
CHIEF FINANCIAL OFFICER [DELETED SECTION]		
[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.
Anti-idling Legislation 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.
HEAD OF FINANCE AND PROCUREMENT [NEW SECTION]		
To develop the key Commissioning and Procurement Strategies, Plans and Procedures for officers to follow. 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.	[These delegations covering commissioning, procurement and contract management all previously sat under the Head of Environment and Leisure.]	Transfer of responsibilities following restructure.
HEAD OF ENVIRONMENT AND LEISURE		
[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.

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HEAD OF HOUSING, ECONOMY AND COMMUNITY SERVICES		
[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.
HEAD OF REGENERATION AND ECONOMIC DEVELOPMENT [NEW SECTION]		
[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.
HEAD OF PROPERTY [DELETED SECTION]		
[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.
MID-KENT ENVIRONMENTAL SERVICES MANAGER		
[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.
LICENSING AND RESILIENCE MANAGER [DELETED SECTION]		
[All delegations.]	[All delegations have moved to Head of Housing and Community Services.]	Transfer of responsibilities following restructure.