

Appendix A  
Scheme of delegation changes April 2006

Scheme of Delegation to Director of Resources		
Function	Consultees (if any)	Limitations (if any)
All powers delegated to the Chief Executive in his absence/indisposition.		
All powers delegated to any Service Manager in the Directorate in his/her absence/indisposition.		
To act as the officer responsible for the administration of the financial affairs of the Council in accordance with S. 151 of the 1972 Act		Local Government Act 1972 – Section 151
To report on unlawful expenditure or a course of action likely to cause loss or deficiency in accordance with S.114 of the 1988 Act	Legal and Democratic Services Manager (as Monitoring Officer)	Section 114 of the Local Government (Finance) Act 1988
The purchase of land and buildings	Director of Community Services	Subject to independent valuation advice. Subject to available budget.
To carry out responsibilities under Financial regulations	As stipulated in Financial Regulations	As stipulated in Financial Regulations
To represent the Council on any relevant Strategic Partnerships	Chief Executive	Report new Partnerships to relevant Policy Committee
To meet revenue and capital expenditure on behalf of the Council		Specific delegated power approved each year by the Council
To administer the grant programme in line with adopted priorities, policies and procedures.		Work within the agreed policies that apply

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Scheme of Delegation to Director of Community Services		
Function	Consultees (if any)	Limitations (if any)
In the absence/ indisposition of the Chief Executive, all powers delegated to the Director of Resources in his/her absence/ indisposition.		
All powers delegated to any Service Manager in the Directorate in his/her absence/indisposition.		
Making Planning Applications	Planning Services Manager	
The purchase of land and buildings	Director of Resources	Subject to Independent Valuation advice
To represent the Council on any Strategic Partnership	Chief Executive	Report new Partnerships to relevant Policy Committee
To act as the Council's Property Officer and specifically to:- - grant consent for works or alterations / improvements in respect of Council owned and occupied property; - deal with the replacement/re- building of council-owned property (e.g. the old Registry Office); and - following 'possession proceedings in respect of mortgagors in default of their mortgage' authority to then sell the property at best price, repay our mortgage and take costs, returning the excess proceeds to the owner.	Chief Executive Director of Resources	
Entering into, renewal and assignment of miscellaneous agreements, easements, leases and tenancies.		Subject to the terms of the Council's Valuers report.
Granting consent for any works or alterations/improvement etc., in respect of Council-owned property which has been leased or under covenants in respect of properties which were formerly owned by the Council.	Appropriate Chief Officer/Service Manager	

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Scheme of Delegation to Director of Environment and Leisure Services		
Function	Consultees (if any)	Limitations (if any)
In the absence/ indisposition of the Chief Executive, all powers delegated to the Director of Resources in his/her absence/ indisposition.		
All powers delegated to any Service Manager in the Directorate in his/her absence/indisposition		
To exercise the Council's functions under Part II of the Environmental Protection Act 1990 (EPA) in respect of the collection of refuse in accordance with the Council's duty of care.	Finance Services Manager regarding the charges to be made.	
To exercise the Council's functions under Part IV of the EPA, The Litter Act 1983 and the Highways Act 1980 in respect of litter and refuse.		
To carry out the Council's functions regarding the removal of abandoned vehicles from land and the highway in accordance with the Refuse Disposal (Amenity) Act 1978 and related Legislation and Regulation.		
To provide and manage public conveniences under the Public Health Act 1936 and the Chronically Sick and Disabled Persons Act 1970.		Replacement programme (and capital budget) to be agreed by Committee.
To exercise the Council's powers under the Public Health Act 1875 in respect of lighting.		

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To provide and manage street nameplates and miscellaneous signs relating to the Council's functions, in accordance with powers under s 19 of the Public Health Act 1925 and all other relevant statutory powers.		
To provide and manage a service for emptying cesspools accordance with the statutory duty placed on authorities by EPA 1990 Section s.45 (5)(b).		
To manage the contracts operated by the Council in respect of both employees and the procurement of plant vehicles and equipment.		Purchase of plant and equipment to be within capital budget agreed by Committee.
To sub contract work where necessary to ensure that the contracts operated are complied with.		Subject to contract procedure rules and the Council's Data Protection Policy.
To provide and manage public open spaces, areas of woodland, recreational areas and play equipment.		
To approve the terms (including commuted payments) and accept the transfer of public open spaces etc.dedicated / adopted to or by the Council.	Solicitor to the Council & Finance Services Manager.	
To approve and refuse formal requests to dispose of areas of public open space in accordance with the Council's policies.	Director of Community Services and Director of Resources	
To prepare, exercise and administer a civil emergency plan for the Council.		To be contained within budget.
To vary the amount paid to Parish Councils under the Community Cleansing Grants Scheme.	Solicitor to the Council.	To fit within the Council's strategic and operational priorities.

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To initiate enforcement action under the Environmental Protection Act (1990) and the Anti-Social Behaviour Act (2003) for a range of Environmental offences.	Solicitor to the Council.	
To carry out enforcement action under sections 108 and 109 of the Environment Act (1995)	Solicitor to The Council	
To carry out enforcement action under The control of Pollution (Amendment) Act (1989)	Solicitor to The Council	
To provide and manage public car parks in accordance with the provisions of the Road Traffic Regulation Act 1984 (RTRA) and other related legislation.	Solicitor to the Council (for the making of car parking orders).	Charges to be set by Committee.  Objections to making of Orders to be referred to Committee.
To take legal proceedings under the RTRA for breaches of off-street parking orders.	Solicitor to the Council (& Chief Executive if it involves an Elected Member).	
To carry out the functions of the Council in respect of markets, including letting pitches and establishing charges for them.	Finance Services Manager regarding the charges to be made.	
To carry out the functions of the Council, including enforcement, as a land drainage authority as set out in the Land Drainage Act 1991 and Public Health Act 1936 to promote schemes for flood prevention, maintenance, enforcement and consent to culvert watercourses within the District	Solicitor to the Council and the Environment Agency	Capital programme to be agreed by Committee.
To determine requests to hire car parks, other open spaces and the Shambles, etc. for 'events'.		Refusal to be in consultation with the Chairman and Vice-Chairman of Committee and Ward Members.

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To negotiate and enter into agreement between Kennet District Council and the organisers of carnivals, fairs, street events and other public events.	Solicitor to the Council.	
To initiate enforcement action under the Clean neighbourhoods and Environment Act (2005) for a range of environmental offences	Solicitor to the Council	
To carry out safety inspections on Council owned land that is adjacent to water features such as balancing ponds, natural ponds, and watercourses.		
To carry out safety inspections on Council owned land and adjacent structures that are the responsibility of the Environment and Amenity Service, such as walls around car parks.		
To carry out regular inspections of Council owned trees in line with Council policy.		
Determination of grounds maintenance and grass cutting standards within the District including frequencies.		
Determination of maintenance of unclaimed land including frequencies and standards.	Solicitor to the Council	
Operation and management of the Council's Leisure Centres		Budgetary provision

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Operation and management of the Leisure and Arts Development programme		Budgetary provision
To manage the procurement and expenditure of resources to provide additional or improved sport, leisure and cultural facilities secured from developers contributions in accordance with the Council's adopted Supplementary Guidance on Planning Obligations		Work within the agreed planning policies that apply
Set Fees and Charges for the Leisure Centres, and Leisure and Arts Development programmes		Work within the agreed Pricing policy
Determine Leisure Centre opening hours and closure periods	MoD; User Forums; Town Councils	Budgetary provision
Authorisation of Members to receive appropriate allowances for appearing at Leisure related events		In line with Council procedures and policies
Appoint specialists to carry out research		Budgetary provision
Make planning applications for leisure related schemes	Planning Services Manager	In line with Council procedures and policies
Make and authorise applications for funding from outside organisations		
To represent the Council on any Strategic Partnership	Chief Executive	