

APPENDIX A

General scheme of delegation		
Description of delegation		Responsibility delegated from
8.	Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
8.1	Planning: <ul style="list-style-type: none">To manage the Council’s functions in relation to the planning function, listed building consent, building preservation, conservation areas, tree preservation, enforcement and planning contravention, purchase notices, high hedges and hedgerows in compliance with current legislation and Council policy.To determine applications for planning permission except in the following circumstances:<ul style="list-style-type: none">(i) Where the applicant is the Council and the proposed development is a major proposal or for non-operational purposes.	Council
	<ul style="list-style-type: none">(ii) Where the applicant is a member of the Council or an officer directly or indirectly involved in the planning process.	Council
	<ul style="list-style-type: none">(iii) Where the Director Regeneration, Culture, Environment and Transformation <u>and Deputy Chief Executive</u> refers the application to the Planning Committee (eg where the proposals are a significant departure from the development plan or otherwise are of a strategic nature in the context of the Council’s planning and development policies).	Council
	<ul style="list-style-type: none">(iv) Where the proposal has other major implications for the authority.	Council
	<ul style="list-style-type: none">(v) Where a member of the Council has within 21 days of the publication of the weekly list of planning applications requested that an application be determined by Committee. In these cases members should identify the material planning considerations to warrant consideration by Committee.	Council
	<ul style="list-style-type: none">(vi) Where a parish council has within 21 days of the publication of the weekly list of planning applications requested that an application be determined by Committee. In these cases Parish Councils should identify the material planning considerations to warrant consideration by Committee, otherwise the Director Regeneration,	Council

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<p>Culture, Environment and Transformation <u>and Deputy Chief Executive</u> will deal with the application.</p> <p>(vii) Where three or more relevant letters of representation are received (which may include letters from an Amenity Society but must also include at least two from separate households in the vicinity of the site) contrary to the proposed officer decision <u>unless following consultation with the Chairman, Vice Chairman and designated Opposition Spokesperson(s) it is considered inappropriate to refer an 'other' application to the Planning Committee for determination. For the avoidance of doubt, the decision not to refer the 'other' application will need to be unanimous in each case and in the event of there not being a consensus, that application will be referred to the Planning Committee for determination.</u></p> <p><u>'Other' applications consist of:</u></p> <ul style="list-style-type: none"> • <u>Householder applications</u> • <u>Change of use (no operational development)</u> • <u>Adverts</u> • <u>Listed building extensions/alterations</u> • <u>Listed building demolitions</u> • <u>Application for relevant demolition of an unlisted building within a Conservation Area</u> • <u>Certificates of Lawfulness (191 and 192)</u> <p><u>(viii) Where</u> one letter of representation is received from a Parish Council or a Residents' Association/Society contrary to the proposed officer decision (except, in the case of a representation by a Parish Council or a Residents' Association/Society, where the Director Regeneration, Culture, Environment and Transformation <u>and Deputy Chief Executive</u>, in consultation with the Chairman and Spokesmen of the Planning Committee, is of the opinion that the representation contains no reasonable planning grounds supporting the representation).</p>	Council

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<ul style="list-style-type: none"> To determine details reserved by conditions, minor amendments to proposals for which consent has been granted, applications for lopping or topping trees, to confirm or reject tree preservation orders where no more than three representations are received from separate households contrary to the proposed decision, applications on the direction of the Secretary of State in respect of a trunk road, applications for Certificates of Lawfulness of existing or proposed use and to determine applications submitted pursuant to s.10 of the Planning (Hazardous Substances) Act 1990. To contest planning appeals in accordance with Council or Committee policy including the appointment of appropriate legal and professional representatives. To submit observations upon proposals outside the Medway area upon which the Council has been consulted subject to prior consultation with members representing the wards adjoining the proposed development. 	<p>Council</p> <p>Council</p> <p>Leader/Cabinet</p>
<p>8.2 Building control:</p> <p>To submit comments to the Secretary of the Joint Committee on the first draft of the Building Control Business Plan and on any proposed amendments (during the course of each year), in consultation with the Chief Finance Officer and the Council's representative on the South Thames Gateway Building Control Joint Committee.</p>	<p>Leader/Cabinet</p>
<p>8.3 Highways and traffic regulations:</p> <ul style="list-style-type: none"> To manage the highways, parking provision, public rights of way, traffic regulation, traffic calming, road safety and watercourse management services in compliance with current legislation and the policies of the Council. With respect to the determination of requests for the approval of details submitted pursuant to the provisions of Schedule 6 of the Channel Tunnel Rail Link Act 1996: <ul style="list-style-type: none"> (i) to determine plans and specifications submissions made pursuant to paragraph 15. (ii) to determine requests for the approval of details submitted pursuant to conditions attached to Construction Arrangements Approvals granted under paragraphs 16, 17, 23, 24 and 25 and requests for approval to amendments to matters subject to approval issued under the aforementioned paragraphs. 	<p>Council/ Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p>

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(iii) the determination of restoration plans submitted pursuant to the provisions of paragraph 19.	Leader/Cabinet
(iv) the determination of additional details submitted pursuant to conditions imposed under paragraph 22(2).	Leader/Cabinet
(v) the determination of all applications for the construction and working site vehicular access points.	Leader/Cabinet
8.4 Public transport: <ul style="list-style-type: none"> To manage the public transport regulation, public transport development and transport policies of the Council in compliance with current legislations and the policies of the Council. 	Council/ Leader/Cabinet
8.5 Land: <ul style="list-style-type: none"> To accept blight notices and to approve the purchase of land which is statutorily blighted by highway proposals, and to approve counter-notices where it is considered there is no such statutory obligation. 	Leader/Cabinet
<ul style="list-style-type: none"> To demolish properties (as part of any scheme approved by the Council). 	Leader/Cabinet
8.6 Street naming and numbering: <ul style="list-style-type: none"> To agree street naming and the naming or numbering of buildings. 	Council
8.7 Gifts for the benefit of the public: <ul style="list-style-type: none"> To accept gifts of seats, trees, etc. on behalf of the Council. 	Leader/Cabinet
8.8 Tree donation: <ul style="list-style-type: none"> To fix the fee for any tree donation scheme. 	Leader/Cabinet
8.9 Buildings at risk: <ul style="list-style-type: none"> To offer grant monies towards urgent repairs of buildings at risk in cases where they may have recently come into new ownership and would, therefore, not meet the normal criteria and where the director is satisfied that a grant is necessary to secure the repair of the building at risk. 	Leader/Cabinet
8.10 Civil protection and defence: <ul style="list-style-type: none"> To manage the emergency planning, civil protection and defence functions in compliance with current legislation and the policies of the Council. 	Leader/Cabinet

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<p>8.11 Environmental health and trading standards matters:</p> <ul style="list-style-type: none"> To manage the services of public health, port-health, environmental health, food poisoning and infectious diseases, waste collection and management, street cleansing, health and safety, food safety, shops, markets and street trading, Sunday trading, trading standards, consumer protection, weights and measures (including the appointment of a named member of staff as the chief inspector of weights and measures, and a deputy if required, as required by section 72 of the Weights and Measures Act 1985), the appointment of the Proper Officer under the Public Health (Control of Diseases) Act 1984 and supporting regulations, litter, animal health and welfare, pest and dog control services, contaminated land, public conveniences, shopping trolleys, abandoned vehicles and materials on the highway, private drainage, and water supplies in compliance with current legislation and the policies of the Council. 	Council/ Leader/Cabinet
<p>8.12 Planning and transport fees and charges:</p> <ul style="list-style-type: none"> To make minor adjustments to fees and charges, in consultation with the Leader of the Council and the Portfolio Holder for Front Line Services, during the financial year in line with government guidance as it emerges, within 5% of amount levels. 	Leader/Cabinet
<p>8.13 Museums:</p> <ul style="list-style-type: none"> Manage the museums and archiving services of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.14 Parks and open spaces and professional fun fairs:</p> <ul style="list-style-type: none"> To manage the parks, open spaces and country parks of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<ul style="list-style-type: none"> To determine applications for professional sideshows and amusements in open spaces or recreation grounds in the borough. 	Leader/Cabinet
<p>8.15 Allotments:</p> <ul style="list-style-type: none"> To manage the allotment service of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.16 Medway Partners for Growth Scheme:</p>	

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<ul style="list-style-type: none"> Applications to the scheme to be considered and determined by the Assistant Director, Physical and Cultural Regeneration, in consultation with the Portfolio Holder. 	Leader/Cabinet
<p>8.17 Sports and leisure facilities, children's play activities and halls of the Council:</p> <ul style="list-style-type: none"> Manage the sports and leisure facilities, children's play activities and halls of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.18 Arts and entertainment:</p> <ul style="list-style-type: none"> Manage the arts and entertainment services of the Council including the management of theatres in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.19 Medway Park Car Park:</p> <ul style="list-style-type: none"> The operation of the parking ticket reimbursement system to the Medway Park users. 	Leader/Cabinet
<p>8.20 Libraries</p> <ul style="list-style-type: none"> Manage the library and public information services of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.21 Housing:</p> <ul style="list-style-type: none"> Manage the housing service in compliance with current legislation and the policies of the Council; to include the management of shops, garages, and other ancillary buildings associated with the housing management function. Review the allocation of two smaller properties in return for the release of a larger property and to allocate accommodation according to the merits of each case. 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>8.22 Housing grants and loans:</p> <ul style="list-style-type: none"> Exercise the function of the Council under the Housing (Grants, Construction and Regeneration) Act 1996 and the Regulatory Reform (Housing Assistance) Order 2002 and in accordance with any other relevant legislation and Council Policy. Authorise the determination of hardship cases where improvement grant applicants have proved to be in receipt of housing benefit and or income support. 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<ul style="list-style-type: none"> Approve the payment of renovation grants, disabled facilities grants and home repair assistance, in 	Leader/Cabinet

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<p>accordance with the renovation grant policy and within the allocated resources in the approved capital programme.</p> <ul style="list-style-type: none"> Consider applications to waive repayment of renovation grants where an elderly or infirm person is disposing of the grant property to live permanently in a care home or to be cared for at a relative's home and to demand repayment of the full grant. 	Leader/Cabinet
<p>8.23 HRA site programme</p> <ul style="list-style-type: none"> That the Director Regeneration, Culture, Environment and Transformation <u>and Deputy Chief Executive</u> in consultation with the Portfolio Holder for Housing and Community Services adds further sites to the HRA site programme as they become available, if they are suitable and fulfil a value for money criteria. 	Leader/Cabinet
<p>8.24 Rent officer service:</p> <ul style="list-style-type: none"> Manage the rent officer service in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.25 Flood Risk Management:</p> <ul style="list-style-type: none"> To manage the Council's functions in relation to flooding and drainage in compliance with current legislation and policies of the Council (including without limitation the Land Drainage Act 1991, Flood Risk Regulations 2009 and the Flood and Water Management Act 2010). 	Leader/Cabinet
<p>8.26 Grant and project funding</p> <ul style="list-style-type: none"> To submit applications for funding from Central Government, EU and other funding streams and enter into agreements with the provider of the funding (including for the avoidance of doubt Accountable Body agreements). To approve applications for funding from third parties in the public, private and/or voluntary sectors, make grants to successful applicants and enter into agreements with applicants setting out the terms and conditions on which the funding is provided. 	<p>Council/ Leader/Cabinet</p> <p>Council/ Leader/Cabinet</p>
<p>8.27 Communications:</p> <ul style="list-style-type: none"> To deal with all matters in connection with the media and public relations including issuing press releases on behalf of the Council within the Council's procedures agreed from time to time. 	<p>Council</p> <p>Leader/Cabinet</p>
<p>8.28 Bereavement and Registration:</p> <ul style="list-style-type: none"> Manage the burials, cremation and cemetery service in 	Leader/Cabinet

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<p>compliance with current legislation and the policies of the Council.</p> <ul style="list-style-type: none"> Pursuant to Section 2 of the Parish Council's and Burial Authorities (Miscellaneous Provisions) Act 1970, to sign grants of exclusive rights of burial. 	Leader/Cabinet
<ul style="list-style-type: none"> Manage the registration of births, marriages and deaths in compliance with current legislation, guidance from the Registrar General and the policies of the Council. 	Leader/Cabinet
<p>8.29 Information technology:</p> <ul style="list-style-type: none"> To manage the information and communications technology (ICT) services of the Council including the sale of spare computer time in compliance with current legislation and Council policy. Establish an overall ICT strategy for the Council and to enforce the policies of the Council in respect of ICT procurement and implementation. Dispose of surplus ICT equipment for the best price or lowest cost available. 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>8.30 Complaints:</p> <ul style="list-style-type: none"> To handle complaints made against the Council (including Ombudsman complaints) and to settle complaints locally where the costs of settlement do not exceed £5,000. 	Council/ Leader/Cabinet
<p>8.31 Placing Objects on the Highway</p> <ul style="list-style-type: none"> To manage the Council's functions in relation to placing objects on the highway in compliance with current legislation and policies of the Council. 	Council
<p>8.32 Personnel</p> <ul style="list-style-type: none"> Agree every three years, suitably rounded, increases in the monetary value of the 25 year long service awards to non-teaching staff, in line with inflation. Implement the Council's post-entry training scheme. Negotiate and reach agreement on behalf of the Council on policies and procedures concerning the workforce. Obtain the necessary statistical information to enable the Council to monitor the composition of its workforce in connection with the implementation of its equal opportunity and other policies. 	<p>Council</p> <p>Council</p> <p>Council</p> <p>Leader/Cabinet</p>

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<ul style="list-style-type: none"> To agree minor changes to HR policies provided such changes: <ul style="list-style-type: none"> a) do not impact on a current condition of term of employment, process or entitlement; b) relate to an existing HR policy designated by the Employment Matters Committee as being within the scope of this delegation; c) have not been referred to the Committee for determination by a trade union, the Chairman or the Opposition Spokesperson of the Employment Matters Committee. 	Council/ Employment Matters Committee
8.33 Shared Human Resources (HR) Service <ul style="list-style-type: none"> Management and delivery of HR services for Gravesham Borough Council jointly with the services provided for Medway Council. 	Council
8.34 Medway Guide to Developer Contributions and Obligations	Leader/Cabinet
<ul style="list-style-type: none"> To undertake, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, the annual review of indexation of S106 contributions using the all items retail prices index (RPI) and update the Medway Guide to Developer Contributions and Obligations Supplementary Planning Document accordingly to come into effect on 1 April each year. 	

4.1 So far as this scheme relates to delegations to employees for executive functions it is provisional pending confirmation by the Leader of the Council.