

SCHEME OF SUB-DELEGATION

GROWTH ENVIRONMENT AND TRANSPORT

Flood and Water Manager: Max Tant

To: Land Drainage Engineer

The principles of the operation of this Scheme of Sub-Delegation are set out in Appendix A. Sub-Delegations are categorised as General and Specific delegations below.

1) SPECIFIC DELEGATIONS

In accordance with the provisions of the Constitution of Kent County Council, I authorise the Land Drainage Engineer to undertake the following:

1) Functions delegated to me by the Council

Those powers which have been delegated to me by the Council in Appendix 2 Part 3 of the Constitution of Kent County Council

FUNCTIONS RELATING TO ENVIRONMENT, PLANNING AND ENFORCEMENT	
FUNCTION	PROVISION OF ACT OR STATUTORY INSTRUMENT
G. Functions relating to the Land Drainage Act 1991	
1. Power to enforce obligations to repair watercourses, bridges, etc.	Section 21 of the Land Drainage Act 1991 as amended by Section 31 of Schedule 2 of the Flood and Water Management Act 2010.
2. Power to give consent for obstructions, etc, in watercourses.	Section 23 of the Land Drainage Act 1991 as amended by Section 32 of Schedule 2 of the Flood and Water Management Act 2010.
3. Power to require works for maintaining flow of watercourses.	Section 25 of the Land Drainage Act 1991 as amended by Section 33 of Schedule 2 of the Flood and Water Management Act 2010.
4. Power to act as a statutory planning consultee for major development with surface water drainage as the Lead Local Flood Authority.	Town and Country Planning (Development Management Procedure) (England) Order 2015, Section 18, (Consultations before the grant of permission, Schedule 4 para ze

Signed:


Emma Philpott
Land Drainage Engineer

Date: 06/02/2018

Signed:


Max Tant
Flood and Water Manager

Date: 06/02/18

Lodged with the Monitoring Officer:

Date:

APPENDIX A – BACKGROUND AND GUIDING PRINCIPLES

1. Before exercising any authority, Officers must satisfy themselves that they have necessary delegated powers as specified in this Scheme either generally or in relation to their specific role.
2. The powers delegated to officers exclude the authority to take Key Decisions.
Constitution, Executive Scheme of Officer Delegation
3. Decisions which an officer takes under delegated powers must:
 - implement a policy or decision previously approved or taken by the Cabinet or a Cabinet Member or
 - facilitate or be conducive or incidental to the implementation of a policy or decision previously taken by the Cabinet or a Cabinet Member or
 - relate to the management of the human, material and financial resources made available for the functions for which they are responsibleConstitution, Executive Scheme of Officer Delegation
4. Officers to whom matters have been sub-delegated may escalate the making of those decisions to the relevant Corporate Director, who can then (if appropriate) refer the matter to the Cabinet Member or Cabinet.
Constitution, Executive Scheme of Officer Delegation
5. Officers must use the authority delegated to them:
 - a. in the interests of Kent County Council
 - b. in accordance with the provisions made in relevant revenue and capital budgets, Standing Orders, the Financial Regulations or other Procedure Rules contained in the Constitution; Constitution, Executive scheme of Officer Delegation, and
 - c. in accordance with the overall policies approved by the Council or its Committees. Constitution Appendix 2.
6. In exercising the authority delegated to them, Officers must
 - a. consult the relevant Corporate Director and/or the Director of Governance & Law in respect of matters which are sensitive or complex, or where legal, administrative, financial or other advice or guidance is necessary;
 - b. keep the relevant Cabinet Member properly informed of activity arising within the scope of these sub-delegations; and Constitution, Executive Scheme of Officer Delegation
 - c. advise local Members on any matter that appears to specifically affect their division or constituency interests. Constitution Appendix 2
7. Any manager may exercise any power delegated to an officer for whom they have supervisory responsibility. Constitution Appendix 2
8. Officers are responsible for the management of their services and the implementation of Council and Cabinet policies and Executive Decisions. Constitution, Executive Scheme of Officer Delegation
9. Senior Managers must record and notify the Monitoring Officer (Director of Governance & Law) of arrangements made by them for the exercise on their behalf of delegated powers granted to them. Sub-delegations should be regularly reviewed and updated if appropriate. Constitution Appendix 2