

# **Wakefield Metropolitan District Council**

## **Corporate Director, Regeneration and Economic Growth Sub-Delegation Scheme**

Approved – 14 February 2021

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## **Introduction**

The Corporate Director, Regeneration and Economic Growth is authorised in accordance with the Officer Delegation Scheme to carry out functions on behalf of Full Council and the Executive.

The Corporate Director, Regeneration and Economic Growth is also responsible for the following functions:-

Economic Growth and Skills which includes – economic development, housing, regeneration, regional growth and adult and community education services;

Planning, Transportation and Strategic Highways which includes development and building control and planning and transportation policy;

Arts, Culture and Leisure which includes culture, destinations and markets, libraries museums and heritage and sport and health development.

The Corporate Director, Regeneration and Economic Growth has the benefit of a number of delegations as set out in the Council's Constitution and Officer Scheme of Delegation. He/she has chosen to sub-delegate some or all of those functions to officers of suitable experience and seniority. These officers are identified by reference to their job title rather than by name. If the Corporate Director, Regeneration and Economic Growth delegates functions to a fellow Director he/she makes it clear in this sub-delegation scheme whether that Director can sub-delegate those functions.

The Corporate Director Regeneration and Economic Growth is authorised to discharge any function of the Council or Cabinet regarding the authority's role in relation to the services under his/her jurisdiction, with the exception of those matters where an appropriate Cabinet Member, or in the case of non-executive functions, the Chair of the relevant Committee has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or relevant Committee as may be appropriate for consideration

This scheme details the officers who are authorised to carry out each function on the Corporate Director, Regeneration and Economic Growth's behalf, together with the details of any terms and conditions which he/she has imposed on that sub-delegation. All officers are bound by the Employee Code of Conduct and should consider these together with any other rules or requirements in relation to personal conflicts of interest which may apply to them when exercising authority delegated under this scheme.

Even though the Corporate Director, Regeneration and Economic Growth has sub-delegated the functions he/she remains accountable for all decisions taken in accordance with this scheme.

An officer with sub-delegated authority may decide not to exercise that authority, or the Corporate Director, Regeneration and Economic Growth may indicate that the authority should not be exercised, in respect of any individual matter. In either case that matter should be referred to the Corporate Director, Regeneration and Economic Growth for a decision or for referral to the relevant Committee if appropriate.

Where the Corporate Director, Regeneration and Economic Growth has chosen not to sub-delegate his/her authority, this is clearly stated within the scheme. Decisions in relation to those functions should be taken by the Corporate Director, Regeneration and Economic Growth unless the absence provisions on page 5 of this scheme apply.

## Group Delegations – Definitions and Priorities

The Corporate Director, Regeneration and Economic Growth has chosen to delegate a number of functions to groups of officers.

Where the same group of officers receive a number of separate delegations, in order to save space within the sub-delegation scheme, those groups of officers have been given a title. The following table sets out the title of each group of officers and lists the officers within each group.

Definition	Posts to which definition applies
Service Director	Service Director Economic Growth and Skills Service Director Art, Culture and Leisure Service Director Planning, Transportation and Strategic Highways
Service Manager	Service Manager Housing and Regeneration Service Manager Skills and Business Service Manager Adult and Community Education Service Manager Culture Service Manager Sport and Health Improvement Programme and Service Development Manager Service Manager Service Development Service Manager Planning and Transportation Policy Service Manager, Development Management
Team Manager/Leader	As defined in the structure of Regeneration and Economic Growth Services

# Absence of the Corporate Director, Regeneration and Economic Growth

## Delegation of functions

In the absence of the Corporate Director, Regeneration and Economic Growth from illness or leave, where a decision cannot reasonably be delayed until his/her return, the Corporate Director, Regeneration and Economic Growth delegates his/her functions as follows:-

Function delegated by Corporate Director, Regeneration and Growth	Officer to whom sub-delegated
All functions	Managers including specific sub-delegations as outlined in this scheme.
Emergency arrangements for sub-delegation of functions	Strictly in exceptional circumstances, such as a global pandemic, where officers with the requisite delegations are incapacitated or absent, functions may be exercised by any officer within the Council with suitable experience and seniority who has been appropriately briefed and has sufficient understanding of the matter to be decided. (Please see paragraph 10 of the Officer Scheme of Delegation)

## Delegation of Local Choice Functions

The functions set out in this part of the sub-delegation scheme are Local Choice Functions which may be treated as the responsibility of Cabinet (in part or whole) or Council (non-executive) functions that have been delegated to the Corporate Director, Regeneration and Economic Growth.

### Specific Delegations

	Function Delegated	Decision Making Body	Officers to whom delegated	Terms and Conditions
1.	Functions under a local Act (other than one specified or referred to in Regulation 2 or Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended	Cabinet		
2.	Any function relating to contaminated land	Cabinet		
3.	The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Cabinet		
4.	The making of agreements for the execution of highways works	Cabinet	Service Director, Planning Transportation and Highways	

## Delegation of Council Functions (Non-Executive)

The functions set out in this part of the sub-delegation scheme are Council Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) which have been delegated to the Corporate Director, Regeneration and Economic Growth.

### Specific Delegations

	Function Delegated	Decision Making Body	Officers to whom delegated	Terms and Conditions
1.	<b>Sports Grounds</b> Functions relating to safety of sports grounds.	Council	Service Director, Planning, Transportation and Strategic Highways	
2.	<b>Determination of Appeals</b> To consider appeals against dismissal, grading and grievances by employees (not Corporate Directors or Directors) of the Council.	Council		
3.	To determine appeals against any decision made by or on behalf of the Authority including those relating to Education, Social Services, Housing and Housing Benefits but excluding any matter when an appeal is provided for elsewhere in this Part 3.	Licensing  Regulatory and Appeals Sub-Committee		
4..	<b>Maladministration</b> Power to make payments or provide benefits in cases of maladministration	Council		



5.	<p>Reviewing and monitoring the Council's response to:</p> <p>(i) probity and standards issues arising from internal audit functions and reports of the external auditor.</p> <p>(ii) corporate governance issues, including overview of whistle blowing, anti-fraud and corruption policies and complaints handling.</p> <p>(iii) Local Ombudsman's investigations</p>	Standards Committee		The relevant Corporate Director subject to informing the relevant Cabinet Member or Committee Chair
6.	<p><b>Ombudsman</b></p> <p>Approving local settlements of Ombudsman investigations and responding to Ombudsman findings.</p>	Standards Committee		The relevant Corporate Director subject to informing the relevant Cabinet Member or Committee Chair

**Decisions Delegated by Full Council**

7.	<p><b>Publication of the Wakefield District Local Plan 2036</b></p> <p>To make minor changes to the plan, if necessary, which do not affect the substance and purpose of the strategy or policies to ensure it reflects the latest Government guidance when submitted and to ensure its soundness through examination..</p>	Council	In consultation with the Cabinet Member, Regeneration and Economic Growth	16 October 2019 – The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth
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## General Delegations

	Function Delegated	Officers to whom delegated	Terms and Conditions
1,	Budget Management – ensuring budget monitoring is both accurate and timely to enable the Council to effectively manage its financial affairs. To allocate budgets to a named budget holder.	No delegation	Named budget holders will be deemed responsible for managing and monitoring their budget with support from Finance Managers.
2.	Financial – To incur expenditure and to generate and collect income in line with Financial Regulations, Contract Procedure Rules and within revenue and capital estimates.	All Managers	Day to day management and administration of functions as referred to in the Introduction of this scheme in respect of functions within their remit.
3.	Revenue Budget	Service Director	In relation to matters within their individual remits, key decisions which result in the authority incurring expenditure or income making savings of £250,000 and above should be referred to the Corporate Director, Regeneration and Economic Growth.
		Head of Service, Service Manager Team Manager	In relation to matters within their remit, which result in the authority incurring expenditure or income making savings of £25,000 or above each year

			should be brought to the attention of the Service Director.
4.	Capital Expenditure – to manage the Directorates capital programme ensuring value for money for each capital project and approved costs are not exceeded.	No delegation	The Corporate Director will ensure that appropriate professional advice is sought prior to Project Start Approval in accordance with Capital Approvals and Reporting Framework.
5.	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Chief Finance Officer at the first opportunity.	Service Director	In relation to matters within their remit, key decisions which result in the authority incurring expenditure or income making savings of £250,000 and above should be referred immediately to the Corporate Director, Children and Young People.
		Service Manager	In relation to matters within their remit, decisions which result in the authority incurring expenditure or income making savings of £100,000 and above should be referred immediately to the Service Director.
		Team Manager	In relation to matters within their remit, decisions which result in the authority incurring expenditure or income making

			savings of over £25,000 each year should be brought to the attention of the Service Director.
6.	Grants and Contributions – To ensure that grants and contributions in their service areas are properly evidenced, regularly monitored, promptly claimed and that all relevant conditions are met.	Service Director Service Manager Team Manager	All relevant and significant grant claims must be signed off by the Chief Finance Officer
7.	To make decisions in relation to commissioning and procurement activity. Such activity must be carried out in accordance with Contract Procedure Rules.	All Managers in consultation with the relevant Service Director.	Day to day management and administration of functions as referred to in the Introduction of this scheme in respect of functions within their remit.
8.	Functions relating to Health and Safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as an employer.	All Managers	In respect of functions within their remit.
9.	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure ie to approve the filling of a vacancy and instigate the recruitment process.	All Managers	

10.	To appoint staff on a temporary basis to provide cover for absence.	Managers	Subject to there being budgetary provision.
11.	To determine issues relating to Officers terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations.	Managers	
12.	To deal with employment issues in accordance with agreed procedures and relevant national conditions of service as modified or extended by any local or national agreements.	Managers	
13.	Decisions in relation to restructures.	Service Director Service Manager	Decisions are subject to:- i) appropriate professional advice being sought, ii) prior consultation with all parties including recognised trade unions. iii) appropriate consideration of pay and grading requirements.
14.	The provision of information to the public under the Freedom of Information Act and the Environmental Information Regulations and similar statutory requirements, to members of the public and the community in accordance with the Access to Information Rules.	Service Manager Team Manager	In relation to matters within their remit.

15.	<p>a) To implement and ensure compliance with:</p> <ul style="list-style-type: none"> <li>• the rules on data protection, human rights, freedom of information, GDPR.</li> <li>• the Council's policies on these matters.</li> <li>• guidance and advice from the SIRO on these matters.</li> </ul> <p>b) To designate offices with specific responsibilities for these matters.</p> <p>c) To advise the SIRO of any new types of data processed, or new ways of processing personal data and of any new persons or organisations to whom data is given.</p>	All Managers	In relation to matters within their remit.
16.	Provision of Statutory Returns – To provide such statutory returns as are necessary within the Directors remit.	Managers	In relation to matters within their remit.
17.	To issue statements to the press and other media about their delegated functions within the Council's Budget and Policy Framework.	No delegation	
18,	As the relevant Officer designated as Gold or Silver under the Council's Emergency Planning arrangements to take any necessary action for responding to an emergency or facilitating the recovery following such an emergency.	No delegation	



## Dates of Review

Approval and subsequent amendment of this sub-delegation scheme should be treated as a significant operational decision and as such will require an Officer Delegated Decision Notice which will be published by the Committee Services Team on the Council's website. A copy of the sub-delegation scheme will also be published on the website.

This scheme will be reviewed at the beginning of each Municipal Year to take account of any possible delegations made by the Leader and at the Annual Council Meeting and to ensure that it is up to date and fit for purpose.

Please use the table below to record the dates when the scheme was reviewed including if no changes are necessary.

Scheme Reviewed	Reviewing Officer



**Decisions delegated by Cabinet / Council to the Corporate Director, Regeneration and Economic Growth**

**Specific Delegations**

	<b>Function Delegated</b>	<b>Decision Making Body</b>	<b>Officers to whom delegated</b>	<b>Terms and Conditions</b>
15,	<p><b>Knottingley Masterplan</b></p> <p>Cabinet delegated authority to the Corporate Director for Regeneration and Economic Growth to implement and deliver the proposals contained within the Masterplan and report back to Cabinet at relevant key stages.</p>	Cabinet		Cabinet – 12 January 2021. The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth.
14,	<p><b>Get Building Fund Warm Homes Fund Scheme</b></p> <p>Cabinet granted delegated authority to the Corporate Director, Regeneration and Economic Growth to make operational decisions with regard to the Scheme</p>	Cabinet		Cabinet – 8 December 2020. The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth.
13,	<p><b>Bridge Homes</b></p> <p>With regard to the investment of further capital by way of instalments, to support the expansion of Bridge Homes development programme – Agree the timing and authorise payment of the second instalment.</p>	Cabinet		Cabinet – 15 September 2020. The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth.

12,	<b>Bridge Homes</b> To finalise negotiations and approval of the amendments to the Members Agreement Growth and to authorise the entering into of the Deed of Variation on those agreed terms.	Cabinet		Cabinet – 15 September 2020. The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth.
11,	<b>Wakefield Waterfront</b> To complete negotiations with City and Provincial Properties Investments Ltd and West Yorkshire Combined Authority and to complete all necessary legal agreements in relation to the disposal of property interests and grant funding agreements with City and Provincial Properties Investments Ltd and West Yorkshire Combined Authority.	Cabinet		Cabinet - 11 June 2019. The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth, Portfolio Holder for Corporate Services (Property) and the S151 Officer and Chief Legal Officer.
10,	<b>Wakefield Waterfront</b> To undertake further negotiations with the preferred developer (City and Provincial) to ensure that the apprenticeships, employment and other regeneration opportunities are included as output in any agreements reached.	Cabinet		Cabinet - 11 June 2019. The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth and the S151 Officer and Chief Legal Officer.
9,	<b><u>Cultural Development Funding</u></b>	Cabinet		Cabinet – 5 March 2019. The decision must be taken

	<p>To agree final terms for the ACE funding agreement.</p> <p>To approve contracts for goods, services and works across the programme</p> <p>To designate up to £500k of the programme funding to support the Creative England specialist SME support arrangements, and up to £500k towards the establishment of incubation workspace at Production Park, subject to appropriate funding arrangements and programme outputs being agreed.</p>			<p>in consultation with the Cabinet Member, Regeneration.</p> <p>The Chief Legal Officer delegated authority to execute any grant funding or partnership agreements required for the delivery of the Creative Industries Growth Platform, WX3.</p>
8,	<p><b><u>Meeting the Accommodation needs of Gypsy, Traveller and Travelling Showpersons</u></b></p> <p>To identify suitable Council owned sites for this purpose; acquire sites if necessary; and make any funding applications necessary to support the delivery of sites, in line with the existing scheme of delegations</p>	Cabinet		<p>Cabinet – 4 December 2018. The decision must be taken in consultation with the Cabinet Member, Regeneration and Economic Growth and Portfolio Holder, Resources.</p>
7.	<p><b>Well Managed Highway Infrastructure</b></p> <p>To approve any future winter service reviews</p>	Cabinet		<p>Cabinet – 4 December 2018. The decision must be taken in consultation with the Cabinet Member,</p>

				Transportation and Highways.
6,	<p><b>New Strategic Housing Enforcement Policy and New Civil Penalty Powers</b></p> <p>To approve any necessary amendments to either Policy.</p>	Cabinet		Cabinet - 23 January 2018 - The decision must be taken in consultation with the relevant Portfolio Holder.
5.	<p><b>Award of the framework Agreement Transport Services</b></p> <p>Cabinet approved the awarding of the Framework Agreement for Transport Services to the 12 organisations detailed in the report for an initial period of 24 months with an option to extend for a further 24 months.</p>			<p>Cabinet – 17 April 2018</p> <p>Approval of any contract extension for a further 24 months in consultation with the Portfolio Holder for Environment and Communities</p>
4,	<p><b><u>Regional Energy Loan Repayment</u></b></p> <p>To approve any subsequent changes to the loan policy.</p>	Cabinet		<p>Cabinet – 21 November 2017 - Delegates powers to the <b>Service Director for Economic Growth and Housing</b>, in consultation with Portfolio Holder for Regeneration and Economic Growth, to approve any subsequent changes to the loan policy.</p>
3,	<p><b><u>Better Homes Yorkshire Scheme</u></b></p> <p>Authority to agree the terms of the required contractual arrangements,</p>	Cabinet		Cabinet 18 October 2016 - The decision must be taken in consultation with the

	finalise the necessary contracts and make all operational decisions relating to the future delivery of the Scheme.			Cabinet Member, Regeneration and Economic Growth.
2,	<p><b>People Enabling Area Transformation Programme</b></p> <p>That the Council acts as Accountable Body for the Community Led Local Development programme.</p>			Cabinet 26 July 2016 - That all functions of the Accountable Body are delegated to the Corporate Director, Regeneration & Economic Growth in consultation with the Portfolio Holder for Economic Growth and Skills
1,	<p><b>Community Infrastructure Levy Governance Arrangements for Strategic and Neighbourhood Spending Decisions</b></p> <p>To delegate the detailed operational terms of the Community Infrastructure Levy programme including calculation of charges, exemptions and relief, clawback, appeals and enforcement, to the Corporate Director, Regeneration and Economic Growth.</p>	<p>Cabinet 14 June 2016</p> <p>Council – 13 July 2016</p>		To delegate decision making powers <b>for non-key spending decisions</b> (in Area Action areas) to the Corporate Director, Regeneration and Economic Growth in consultation with the Portfolio Holder for Economic Growth and Skills.