

## KENT & MEDWAY FIRE & RESCUE AUTHORITY

### SCHEME OF DELEGATION OF POWERS TO CHIEF EXECUTIVE

- 1.1 The Chief Executive is authorised to act on behalf of and exercise all the powers of the Authority, except for those matters listed in paragraph 1.2 below, provided that any such action is in accordance with relevant legislation; the policies laid down by the Authority (including its Standing Orders, Financial Regulations, Procurement Regulations) and the Authority's approved budget.
- 1.2 The following matters are specifically reserved for decision by the Authority or, if the Authority so decides, a Committee established by it:-
- a) Determination of the Authority's budget and of the council tax level to be set but subject to the provisions of paragraph 2.2 of the Authority's Standing Orders.
  - b) The policy on the establishment and use of reserves and the agreement to the setting and revision of the Authority's prudential indicators for capital financing.
  - c) All matters relating to the appointment, and terms and conditions of employment, of the Chief Executive and such other employees as the Authority may specify under Standing Order 2.6.
  - d) Consideration of any report of any formal assessment of the Authority as part of any national performance assessment scheme.
  - e) Payment for services to anyone not a member of the Service under Section 15 of the Fire and Rescue Services Act 2004.
  - f) Consideration of the Authority's Corporate Plan ~~(currently called the Service Performance Plan)~~, **Safety Plan (formerly the Integrated Risk Management Plan)** and the External Auditors' Management Letter to the Authority.
  - g) Consideration of any powers conferred on the Authority by new legislation so that the Authority may confirm or otherwise the reservation of those powers to itself or to a Committee established by it.
  - h) **Budget adjustments for amounts over £500k.**
  - i) **The sale of land or buildings where the value is over £100k, and any purchase of land or buildings.**
  - j) **The writing-off of bad debts over £10k.**
  - k) **The entering-into of Leases or Licences for a period of more than five years with third parties for the use of KMFRA land or property, or for the use by KMFRA of the third party's land or property.**

- 1.3 Before awarding any contract with a value of £5m or over, the Chief Executive is required to consult the Chairman of the Authority or, in his or her absence, the Vice-Chairman or other Member nominated by the Chairman.**
- 1.4 If the Chief Executive considers it appropriate, or if the Chairman (or, in his or her absence, the Vice-Chairman) of the Authority or of the Committee with the appropriate power so requests, any action by the Chief Executive in exercise of these delegated powers shall be referred to the Authority or the appropriate Committee.
- 1.5 In cases of genuine urgency where it is not possible to obtain a timely decision from the Authority or a Committee established by it with the relevant powers, the Chief Executive is empowered to take action on matters not delegated to him or her subject to the following:-
- a) Such action only to be taken after consulting the Chairman (or in his or her absence the Vice-Chairman) of the Authority or of the relevant Committee.
  - b) Any such action to be the subject of a report to the next available meeting of the Authority or the relevant Committee.
- 1.6 All references to the Chief Executive in these delegations shall be taken to include the relevant Director when that officer is required to act in the absence of the Chief Executive or otherwise on the Chief Executive's behalf.
- 1.7 The Chief Executive may authorise any employee of the Authority to exercise any of the powers delegated to the Chief Executive by the Authority.

*Adopted by Resolution of the Authority on 15 December 1997 and amended by the Authority on 23 September 2004, 16 February 2005, 15 June 2006 and 16 February 2011.*