

Broads Authority
Powers Delegated to Chief Executive
Arrangements for the Exercise of Powers by Other Officers

Note: This document should be read in conjunction to the Broads Authority's Scheme of Powers Delegated to Officers (the Scheme), which is the primary document delegating powers from the Broads Authority to the Chief Executive and its statutory officers. This document is subsidiary to the Scheme and cannot provide delegated powers to other officers beyond the scope of the powers delegated under the Scheme to the Chief Executive.

This document lists those officers of the Authority who have been authorised to exercise each of the powers which the Authority has delegated to the Chief Executive. The exercise of these delegated powers is subject to the conditions set out in the Scheme of Powers Delegated to Officers, as follows:

- (a) They must be exercised in accordance with the overall strategies, policies and priorities of the Authority as set out in the Norfolk and Suffolk Broads Act 1988, Broads Plan, Broads Local Plan/Local Development Framework, Annual Business Plan and Best Value Performance Plan.
- (b) They must be exercised in accordance with the Authority's Standing Orders and Financial Regulations, and must not be exercised so as to incur expenditure for which no adequate provision is made in the approved budgets.
- (c) They must be exercised in accordance with the law and with any policies, regulations, codes or similar documents adopted by the Authority or its committees.
- (d) An officer need not exercise a delegated power in any particular case and must not do so if the matter appears to the officer to involve any matters of public controversy or questions of policy not yet decided by the Authority or its committees or any significant change from previous practice.
- (e) Where the matter falls partly within the professional or technical responsibility of another officer or adviser, the officer taking the decision must consult with those officers as appropriate and have proper regard to any advice given, before authorising action.
- (f) The Authority or a committee may direct that action taken by an officer or officers be reported to it periodically.
- (g) Failure to carry out the consultations in paragraphs A(5) and E(37) of the powers delegated to the Chief Executive, or any of the consultations referred to in the second column, will not invalidate the exercise of the delegated power.

- (h) In accordance with the Openness of Local Government Bodies Regulations 2014, a written record will be produced for any delegation which has been highlighted yellow, or involves a contract or incurs expenditure above £25,000.
- (i) Where the Scheme allows for the exercise of powers by 'Directors', that power relates only to functions for which the particular Director is responsible.
- (j) In all cases the Chief Executive retains the power to take the necessary action.

Powers Delegated to Chief Executive	Other Authorised Officers
A General Management and Administration	
(1) To carry out the duties of Head of Paid Service under the provisions of the Local Government and Housing Act 1989 and to be responsible for the management of all staff employed by the Authority.	
(2) To undertake the day-to-day management and control of the Authority, its premises and services to give effect to the strategies and policies as set out in the Broads Plan, Local Development Framework and Business Plan.	
(3) To authorise any action necessary to give effect to the implementation of the Broads Plan and Business Plan, and for this purpose to incur expenditure up to the limits provided for in Standing Orders and Financial Regulations.	Directors
(4) To authorise any action necessary to give effect to any decision of the Authority or its committees.	Directors Solicitor
(5) In cases of urgency or emergency to take any appropriate action, in consultation (if possible) with the Chair, or in the absence of the Chair, with the Vice-Chair, including the authorisation of any legal proceedings, to protect the position of the Authority. In such cases the Chief Executive will report the action taken to the Authority.	Directors Solicitor
(6) To take appropriate action to preserve the Authority's position pending the scrutiny by the Authority of local and personal Parliamentary Bills, statutory orders and instruments or any other proposal, plan, scheme or other matter affecting the interests of the Broads.	Directors Solicitor
(7) To make arrangements to ensure that all expenditure is regularly monitored against approved budgets and that any significant overspends are reported to the Authority.	Director of Strategic Services Chief Financial Officer
B Finance Matters	
(8) To be responsible for regulating and controlling the financial resources of the Authority in order to achieve the objectives of the Authority.	Retained by Chief Executive
(9) To transfer expenditure between budget heads provided that the action taken complies with Financial Regulations, is consistent with the Authority's policy and does not conflict with any decisions taken by the Authority or any of its committees.	Directors, in consultation with Chief Financial Officer
(10) To manage the Authority's insurances in accordance with overall guidelines specified by the Treasurer and Financial Adviser.	Chief Financial Officer
(11) To ensure that arrangements are in place to pay all sums to creditors.	Chief Financial Officer
(12) To approve the Selective Tendering standing list of contractors to be invited to submit tenders where the estimated value of the contract does not exceed £50,000.	Directors and Chief Financial Officer
Note: check against Standing orders and Financial regulations	
C Personnel Matters	
(13) To determine the current and future staffing requirements and organisational structure of the Authority, including amendments to the Authority's staff establishment.	
(14) To determine matters relating to the remuneration and conditions of service of employees in accordance with the	Directors, in consultation with Head of Human

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national conditions of service and the Authority's Scheme of Local Conditions of Service.	Resources
(15) To adopt local agreements in respect of conditions of service where there are no unresolved objections from trade unions or members of staff.	Directors, in consultation with Head of Human Resources
(16) To appoint staff, subject to such appointments being in accordance with the Business Plan and subject to the availability of funding in the appropriate budget (and subject in the case of Directors to consultation with the Chair of the Authority and appropriate Committee Chair).	Directors, in consultation with Head of Human Resources
(17) To determine politically restricted posts.	Management Team
(18) To appoint the Broads navigation officer and any deputy (after consultation with the Navigation Committee).	Director of Operations
(19) To determine matters concerned with employee relations generally within the Authority including the recognition of appropriate trade unions and the establishment of an appropriate consultative and negotiating machinery.	Directors Head of Human Resources
(20) To determine health and safety matters.	Directors Head of Safety Management
(21) Subject to observance of the appropriate procedures in the Conditions of Service of the employee: (i) to take disciplinary action on and to dismiss an employee; (ii) to convene an Appeals Panel and to hear and determine appeals in relation to disciplinary, grievance and other personnel-related matters	Directors Head of Human Resources Directors Solicitor and Monitoring Officer
(22) To extend an employee's period of sick leave on full pay or half pay for a period not exceeding twelve months.	Directors, in consultation with Head of Human Resources
(23) To reimburse the costs of damage to an employee's personal property up to a maximum of £5,000 in any one case, provided the Chief Executive is satisfied that the damage was caused as a result of the employee pursuing Authority business.	Directors, in consultation with Head of Human Resources
(24) To authorise the payment of any ex-gratia payments or honoraria to employees up to a maximum of £5,000.	Directors, in consultation with Head of Human Resources
(24A) To authorise the payment of any severance or settlement payments to former employees up to a maximum of £5,000.	Directors, in consultation with Head of Human Resources
(25) In consultation with the Chairman, to establish a Member Appeals Panel of three members.	Solicitor and Monitoring Officer Head of Human Resources
(26) To exercise the discretions as set out in paragraphs 3 (where there are no financial implications for the Authority), 6, 7, 10 and 11 of the Authority's Local Pension Scheme Policy Statement.	Directors Head of Human Resources
D Land	
(27) To approve the acquisition by the Authority of: (a) the leasehold interest in property for any term to an annual rent not exceeding £10,000; (b) the freehold interest in property at a price not	Directors

Powers Delegated to Chief Executive		Other Authorised Officers
exceeding £25,000.		
(28)	To approve increases in rent not exceeding £10,000 per annum.	Directors
(29)	To enter into permissive path agreements and access agreements.	Head of Strategy and Projects Senior Waterways and Recreation Officer
(30)	To grant wayleaves, licences, easements and highway dedications over the Authority's land.	Directors
(31)	To give written notice proposing to seek permission for Authority development or the development of land vested in the Authority which it does not propose to carry out itself, in accordance with the Town and Country Planning General Regulations 1992.	Director Strategic Services and Head of Planning
(32)	To authorise named officers to enter land (including buildings) for the purpose of surveying, investigation, prosecution or enforcement in connection with any of the Authority's functions.	Directors
(33)	To authorise the disposal of land and property to a maximum value of £25,000, in accordance with advice from the Authority's Property Advisers.	Directors
E Planning		
(34)	<p>All planning applications¹ are considered to fall within the delegation scheme and will be determined by officers unless:</p> <ul style="list-style-type: none"> (i) it is for a major development as defined in the Town and Country Planning (General Development Management Procedure) Order 2010; (ii) the application represents a departure from the development plan policies including the Broads Local Plan/Local Development Framework and any relevant policy adopted by the Authority and it is proposed to grant planning permission; (iii) objections are received from any statutory consultee (excluding parish councils) in respect of any proposed development within the 21 day period for consultation and it is proposed to grant planning permission; (iv) representations in writing are received from parish councils in respect of any proposed development within the 21 day period for consultation where these raise material planning considerations of significant weight; (v) representations in writing are received from other persons in respect of any proposed development within the 21 day period for consultation where these raise material planning considerations of significant weight; 	

¹ The applications and notification shall include planning permission, approval of reserved matters, advertisement consent, listed building consent, conservation area consent, prior approval applications submitted under the Town and Country Planning (General Permitted Development) Order 1995 and consent under the Hazardous Substances regulations.

Powers Delegated to Chief Executive		Other Authorised Officers
(vi)	any member of the Authority requests within 21 days of receipt of the schedule of planning applications that the application is placed before the Planning Committee for a decision and provides a material planning reason of significant weight for that request in writing;	
(vii)	the Ward member of the relevant District Council requests within 21 days of receipt of the schedule of planning applications that the application is placed before the Planning Committee for a decision and provides a material planning reason of significant weight for that request in writing;	
(viii)	the Director of Strategic Services considers that the matter ought more appropriately be referred to the Committee for a decision;	
(ix)	any member or member of staff of the Authority, including co-opted members of the Navigation Committee is involved in the application.	
(35)	To approve details submitted in accordance with a condition of a planning consent.	Director of Strategic Services Head of Planning
(36)	To determine reasons for decisions.	Director of Strategic Services Head of Planning
(37)	To formally discharge planning conditions upon compliance.	Director of Strategic Services Head of Planning
(38)	To serve Breach of Condition Notices, Planning Contravention Notices and Section 330 Notices.	Director of Strategic Services Head of Planning
(39)	In cases of urgency and (subject to consultation (if possible) with the Chair, or in the absence of the Chair the Vice-Chair, of the Planning Committee):	Director of Strategic Services Historic Environment Manager (in respect of nos (i) and (ii)) Head of Planning (in respect of nos (iii) and (iv))
(i)	to serve Building Preservation Notices;	
(ii)	to issue Listed Building Enforcement Notices and Conservation Area Enforcement Notices;	
(iii)	to issue Enforcement Notices, Stop Notices and Temporary Stop Notices;	
(iv)	to take enforcement action in respect of unauthorised advertisements.	
(40)	(i) To make and serve Tree Preservation Orders.	Director of Strategic Services
(ii)	To confirm non-controversial Tree Preservation Orders.	Historic Environment Manager
(41)	(i) To comment on non-controversial felling licence applications and broadleaved woodland grant schemes;	Director of Strategic Services Historic Environment Manager
(ii)	to make observations to the Forestry Commission on applications for grants and Forestry Grant Schemes and consultations over dedication schemes and the	

Powers Delegated to Chief Executive	Other Authorised Officers
Commission's own new planting proposals in relation to areas up to 10 hectares.	
(42) To deal with notices to lop, top and fell trees in conservation areas. Applications to lop, top or fell trees within Tree Preservation Orders or Groups.	Director of Strategic Services Historic Environment Manager
(43) To submit observations on environmental issues and to lodge holding objections in respect of applications for Goods Vehicle Operators licences.	Director Strategic Services Historic Environment Manager Head of Planning
(44) To reply to consultation on certified sites for camping and caravanning and for caravan and tent rally sites.	Director of Strategic Services Head of Planning
(45) In respect of planning applications: <ul style="list-style-type: none"> (i) to sign and issue the formal decision notices on planning matters which have been before the Planning Committee or determined under delegated powers; (ii) to impose detailed conditions on planning permissions granted by the Authority (including deemed permissions); (iii) to determine the appropriate grounds where permission is either refused or approved; (iv) to refuse a planning application, if within six months of any decision to enter into a Section 106 Agreement by Committee, that Agreement has not been signed. 	Director of Strategic Services Head of Planning
(46) To determine which planning applications should be referred to the Navigation Committee for consultation in accordance with Section 9 (6)(a)(iv) of the Norfolk and Suffolk Broads Act 1988	Director of Strategic Services Head of Planning Navigation Officer
(47) To determine whether an environmental impact assessment is required and to agree the scope of any environmental statement under the Environmental Impact Regulation 1999.	Director of Strategic Services Head of Planning
(48) To determine whether to exercise the discretionary power available to the Authority with regard to the siting, design and external appearance of agricultural and forestry buildings and the siting and means of construction of private roads for agricultural and forestry purposes.	Director of Strategic Services Head of Planning
(49) To determine whether applications are likely to have a significant effect on a European Site, following consultation with Natural England, under the terms of the Conservation (Natural Habitats Etc) Regulations 1994.	Director of Strategic Services/Head of Planning , in consultation with Senior Ecologist
(50) To implement the Hedgerow Regulations 1997 in authorising rights of entry, administrative consultation arrangements and the use of outside assistance.	Director of Strategic Services Historic Environment Manager
(51) To give observations in respect of development by other authorities, government departments and statutory undertakers where there are no outstanding objections which cannot be met within the terms of the observations.	Director of Strategic Services Head of Planning
(52) To determine Forestry Grant applications up to £5,000.	Director of Strategic Services Historic Environment Manager

Powers Delegated to Chief Executive	Other Authorised Officers
(53) To respond to consultations on planning applications in respect of land outside the Authority's Executive Area, subject to consideration by the Planning Committee of those applications which have serious implications for the Broads, either in landscape or environmental terms.	Director of Strategic Services Head of Planning
(54) To fulfil the Authority's role as a Competent Authority with regard to consideration of development proposals affecting Special Protection Areas and Special Areas of Conservation in the Broads, including the determination of Appropriate Assessments.	Director of Strategic Services/Head of Planning , in consultation with Senior Ecologist
(55) In respect of non-material amendments to planning applications: (i) to define in individual cases that constitutes a non-material amendments; and (ii) to determine applications for non-material amendments except in cases that fall within paragraph 35(ix) of this scheme.	Director of Strategic Services Head of Planning
(56) To settle the terms of Section 106 Agreements required in connection with planning applications including amendments to existing Section 106 Agreements.	Director of Strategic Services Head of Planning
F Recreation and Tourism	
(57) To exercise the powers and duties of the Authority in accordance with the overall policy determined by the Authority in relation to the following matters: (i) tourism, including interpretation, information and associated visitor services; (ii) common land; (iii) access to open country; (iv) open spaces; (v) caravan, camping and picnic sites; (vi) recreation provision and associated facilities, including car parks and public toilets; (vii) country parks; (viii) public paths (except where delegated to the Planning Committee); (ix) the provision of accommodation, meals, refreshments, parking places and toilets; (x) environmental education; (xi) staithes.	Head of Strategy and Projects Senior Waterways and Recreation Officer (in respect of nos (i), (v), (vi) and (xi)) Head of Ranger Services/Deputy Head of Ranger Services (in respect of nos (ii), (iii), (iv),(vi) (vii) and (viii)) Education Officer (in respect of no (x)) Head of Communications (in respect of no (i))
(58) To confirm orders creating, diverting, extinguishing or downgrading public paths in respect of which there is no unresolved objection.	Head of Strategy and Projects/Senior Waterways and Recreation Officer

Powers Delegated to Chief Executive	Other Authorised Officers
	(except for Orders made under the Town and Country Planning Act) Director of Strategic Services/Head of Planning (for Orders made under the Town and Country Planning Act only)
(59) To respond to consultations from other public authorities on proposals to create, divert, extinguish or downgrade public rights of way.	Head of Strategy and Projects Senior Waterways and Recreation Officer
G Conservation	
(60) To exercise the powers and duties of the Authority in accordance with the overall policies determined by the Authority in relation to the following matters: (i) responding to notifications of operations within the Broads under Section 5(2) of the Norfolk and Suffolk Broads Act 1988; (ii) nature reserves; (iii) land drainage (including the preparation and review of a code of practice for drainage works);; (iv) water quality; (v) responding to consultations on proposals to discharge trade and sewage effluent; (vi) responding to notifications on the making of farm capital grants; (vii) nature conservation (except where other provision is made in this scheme), including woodland and fen management, grazing marshes, research, site management and grant aid for conservation purposes; (viii) the designation of areas of natural beauty under Section 4 of the Norfolk and Suffolk Broads Act 1988.	Senior Ecologist (in respect of nos (i) (ii) (iii) (iv) (v) (vi) (vii) and (viii)) Head of Strategy and Projects/Senior Waterways and Recreation Officer (in respect of no (v)) Environment & Design Supervisor (in respect of no (vii))
(61) To respond to consultations under Section 36 of the Control of Pollution Act 1974.	Director of Operations Head of Strategy and Projects Senior Ecologist
(62) To enter into management agreements under Section 39 of the Wildlife and Countryside Act 1981 up to £2,500 per annum for maximum of 21 years.	Senior Ecologist Environment & Design Supervisor
(63) To make holding objections to the making of farm capital grants.	Senior Ecologist
(64) To make representations to the Environment Agency following notification of applications for significant discharges under Section 36 of the Control of Pollution Act 1974.	Director of Operations Head of Strategy and Projects Senior Ecologist
(65) To make written representation on applications received under the Water Resources (Licences) (Amendment) Regulations 1989.	Director of Operations Head of Strategy and Projects

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	Senior Ecologist
(66) To fulfil the Authority's role as a Competent Authority with regard to consideration of proposed works affecting Special Protection Areas, Special Areas of Conservation and stipulated species in the Broads, including the determination of Appropriate Assessments.	Head of Strategy and Projects Senior Ecologist
H Navigation	
<p>Arising from the Norfolk and Suffolk Broads act 1988 (as amended)</p> <p>(67) To exercise the powers and duties of the Authority in accordance with the overall policy determined by the Authority in relation to the following matters (where appropriate in consultation with the Navigation Committee):</p> <ul style="list-style-type: none"> (i) the maintenance and improvement of the navigation area; (ii) the creation of public rights of navigation; (iii) the provision of moorings and other navigational facilities; (iv) the closure of waterways (other than for nature conservation purposes); (v) the repair of landing places, embankments, private moorings and other similar structures. 	Director of Operations
(68) To determine works licences.	Director of Operations Head of Construction and Maintenance Environment & Design Supervisor Rivers Engineer
(69) To seek modifications to plans submitted with applications for works licences.	Director of Operations Head of Construction and Maintenance Environment & Design Supervisor Rivers Engineer
(70) To enforce works licences.	Director of Operations Rivers Engineer
(71) To remove obstructions from waterways.	Director of Operations Head of Ranger Services
(72) To dispose of dredgings.	Director of Operations Head of Construction and Maintenance Environment & Design Supervisor Rivers Engineer
(73) To authorise named officers to require owners of craft to give information of the person in charge of their craft at any time, under Schedule 5, paragraph 9.	Director of Operations Head of Ranger Services
(74) To serve Notices under paragraphs 11 and 12 of Schedule 5 of the Norfolk and Suffolk Broads Act 1988 (which relate to the repair of landing places etc and the removal of wrecks etc)	Director of Operations Head of Construction and Maintenance

Powers Delegated to Chief Executive	Other Authorised Officers
and to enforce such Notices. In the case of the removal of wrecks, this is subject to such vessels being raised and removed to a place of safety allowing an owner to be given prior notice to destruction, unless it had to be destroyed in situ as a result of its size and/or position.	Head of Ranger Services
(75) To mitigate oil pollution either as the harbour authority or if necessary as an agent for the Environment Agency.	Director of Operations Head of Safety Management Head of Ranger Services
(76) To discount cargo tolls.	Director of Strategic Services
(77) Deleted	
(78) In respect of the Speed Limit Byelaws 1992: (i) to approve registration marks for vessels.	Director of Operations Head of Information Technology and Collector of Tolls
(79) In respect of the Navigation Byelaws 1995: (i) giving consent or approval to the following activities and imposing conditions on those consents or approvals: (a) towing; (b) the use of blue lights and light signals; (c) stern on or bow on mooring, approving places for such mooring and designating times when this is permitted; (d) the mooring of vessels otherwise than broadside to a bank; (e) anchoring in a channel; (f) the turning of vessels; (g) pyrotechnics; (h) use of firearms; (i) fun events; (ii) restricting mooring at specific places; (iii) prohibiting vessels to be moored abreast at specific locations, imposing conditions in respect of multiple mooring and permitting exceptions to these restrictions; (iv) securing the removal of obstructions; (v) authorising officers to authorise passage through Carrow Bridge; (vi) giving directions in respect of precautions to be taken when loading and unloading vessels; (vii) appointing assistants to the navigation officer.	Director of Operations Head of Ranger Services
(80) In respect of the Vessel Registration Byelaws 1997: (i) to request copies of registration certificates; (ii) to charge a fee for replacing certificates; (iii) to determine position of toll receipt on vessels; (iv) to prescribe the form of a toll application and specifying the details to be included in it;	Director of Operations Head of Ranger Services (in respect of nos (i), (iii) and (v)) Head of Information Technology and Collector of Tolls (in respect of nos (ii) and (iv))

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<p>(iv) to designate areas which private watercraft can use and prescribing the conditions for such use.</p>	
<p>(81) In respect of the Broads Authority Act 2009:</p> <p>(i) enforcing directions relating to the loading and unloading of vessels (section 10);</p> <p>(ii) exercising the powers and duties relating to the registration and licensing of vessels (section 11);</p> <p>(iii) designating authorised officers for the purpose of:</p> <p>(a) entering and inspecting vessels and exercising related powers (section 17);</p> <p>(b) exercising powers relating to unsafe vessels (section 19);</p> <p>(iv) determining whether a vessel is unsafe (section 18). (In this respect, it is intended that the authorised officers include qualified Boat Safety Scheme examiners and qualified Marine Surveyors);</p> <p>(v) exercising the powers and duties relating to the removal of unsafe vessels (section 20);</p> <p>(vi) designating authorised officers for the purposes of:</p> <p>(a) requesting information about vessels (section 21);</p> <p>(b) entering land, including adjacent waters (section 24);</p> <p>(c) the inspection provisions in hire boat licences;</p> <p>(vii) serving notices requiring information from:</p> <p>(a) masters and owners etc as to vessels (section 22);</p> <p>(b) landowners etc as to vessels (section 23);</p> <p>(viii) exercising the following functions relating to waterskiing and wakeboarding:</p> <p>(a) displaying directional signs (section 28(1));</p> <p>(b) designating authorised officers for the purposes of giving directions as to waterskiing and wakeboarding (section 28(2));</p> <p>(c) issuing, cancelling and amending permits for waterskiing and wakeboarding (sections 27 and 30);</p>	<p>Director of Operations Head of Ranger Services Head of Safety Management (in respect of nos (iv), (vi), (viii)(c) and (xi)) Head of Construction and Maintenance (in respect of nos (ix) and (x)) Head of Information Technology and Collector of Tolls (in respect of nos (ii), (viii)(c) and (xi))</p>

Powers Delegated to Chief Executive	Other Authorised Officers
<ul style="list-style-type: none"> (ix) removing vegetation which is an obstruction or danger to vessels in the navigation area including the service of notices; (x) serving notices and exercising default powers in respect of vegetation which obstructs or is a potential danger to vessels in the navigation area (section 39); (xi) powers and duties relating to the licensing of hire boats (section 40). <p>(Broads Authority: 18 September 2009)</p>	
I Broads Local Access Forum	
(82) To appoint and re-appoint members to the Broads Local Access Forum, in consultation with the Chairman of the Forum.	Solicitor and Monitoring Officer, in consultation with Head of Strategy and Projects
J Miscellaneous	
(83) To remove abandoned vehicles.	Head of Ranger Services Deputy Head of Ranger Services
(84) To accept gifts of property on behalf of the Authority.	Directors
(85) To approve single grant requests up to £10,000.	Management Team
(86) In consultation with the Solicitor, to approve payments of up to £5,000 to complainants who have suffered a direct identifiable loss as a result of the Authority's actions.	Management Team
(87) To write off: <ul style="list-style-type: none"> (i) any obsolete stores or equipment, or loss of property not exceeding £5,000; (ii) all bad debts to a maximum of £5,000, where all reasonable recovery action has been exhausted. 	Directors, in consultation with Chief Financial Officer
(89) In relation to matters under the Members Code of Conduct <ul style="list-style-type: none"> (i) To appoint three members of the Authority and an Independent Person as a co-opted non voting member to a Hearings Committee to hear and determine allegations of breaches of the Members Code of Conduct referred to it by the Monitoring Officer. (ii) To determine the procedure to be followed by the Hearings Committee. 	Solicitor and Monitoring Officer

Dated 19th October 2018

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