

NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.30 pm on Thursday, 28 May 2015 for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read "Glen Chipp".

Glen Chipp
Chief Executive

Democratic Services
Officer:

Council Secretary: Simon Hill
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact Democratic Services on 01992 564249.

BUSINESS

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.
2. The Assistant Director of Governance and Performance Management will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. DISTRICT COUNCIL ELECTION - 7 MAY 2015

The Chairman to welcome the following newly elected and re-elected Members of the Council following the elections held 7 May 2015.

Councillor	Ward
Lynn Hughes	Broadley Common, Epping Upland and Nazeing
Aniket Patel	Buckhurst Hill West
Paul Keska	Chipping Ongar, Greensted and Marden Ash
Nigel Avey	Epping Hemnall
Chris Whitbread	Epping Lindsey and Thornwood Common
Kewal Chana	Grange Hill
Richard Morgan	Hastingwood, Matching and Sheering Village
Brian Rolfe	Lambourne
Richard Bassett	Lower Nazeing
Gary Waller	Lower Sheering
Anne Grigg	North Weald Bassett
Mary Sartin	Roydon
Nigel Bedford	Shelley
Syd Stavrou	Waltham Abbey High Beech
Sam Kane	Waltham Abbey Honey Lane
Ann Mitchell	Waltham Abbey North East
Elizabeth Webster	Waltham Abbey Paternoster
Ricki Gadsby	Waltham Abbey South West

The Chairman to present declaration of acceptance of office certificates to the 5 newly elected members, Councillors Avey, Bedford, Hughes, S Kane, Patel.

3. ELECTION OF CHAIRMAN

To elect a Chairman of the Council for the municipal year 2015/16. Nominations received will be tabled. The new Chairman will then make a declaration of acceptance of office.

4. APPOINTMENT OF VICE-CHAIRMAN

To appoint a Member to be a Vice-Chairman of the Council for the municipal year 2015/16. Nominations received will be tabled. The new Vice-Chairman will then make a declaration of acceptance of office.

5. MINUTES (Pages 7 - 34)

To approve as a correct record and sign the minutes of the meeting held on 21 April 2015. (attached)

6. DECLARATIONS OF INTEREST

(Chief Executive) To declare interests in any item on the agenda.

7. ANNOUNCEMENTS**(a) Apologies for Absence****(b) Announcements**

To consider any announcements by:

(i) the Chairman of the Council;

(c) Members not seeking Re-election or Not Re-elected

To note that;

(i) Peter Gode, Robert Gloizer, Antony Watts, H Ulkun did not seek re-election on 7 May 2015;and

(ii) Kim Adams was not re-elected on 7 May 2015.

Members with Long Service have been asked to attend the meeting to receive an award in recognition of their service to the Council. Peter Gode represented the Shelley Ward for 12 years and Antony Watts represented the Waltham Abbey High Beech Ward for 8 years between 1987 to 1995 and Waltham Abbey North East for 8 years between 2007 to 2015.

8. ELECTION OF LEADER**Recommendation:**

(1) That, in accordance with Section 44C(2) of the Local Government Act 2000, the Council appoints the Leader of the Council for a 4 year term of office, as prescribed by Section 44E of the Act, expiring on the day of the Annual Council meeting or following normal day of retirement as a Councillor.

9. REPORT OF THE APPOINTMENTS PANEL

Report to follow regarding:

- (a) Notice of Constitution of Political Groups, Group Leaders and Deputies;
- (b) Appointments made by the Leader to the Cabinet, Cabinet Committees and Outside Organisations carrying out Executive Functions;
- (c) Membership, Chairmanship and Vice-Chairmanship of Committees, Sub-Committees and Panels (Non-Executive Bodies);
- (d) Appointments to Outside Organisations carrying out Council, regulatory or non-Cabinet Functions.

The Council will need to vote on (c) and (d) where the number of nominations exceeds the number of places available.

10. SCHEME OF OFFICER DELEGATION - COUNCIL AND REGULATORY FUNCTIONS (Pages 35 - 72)**Recommendation:**

- (1) That the scheme of officer delegation for Council and Regulatory Functions be noted.

The Constitution requires that the scheme of delegation be agreed at the Annual meeting. The current scheme has been attached with revised items highlighted.

11. SCHEME OF OFFICER DELEGATION - EXECUTIVE FUNCTIONS (Pages 73 - 108)

To note the new and revised officer delegation in respect of Executive Functions approved by the Leader of the Council following the 2014/15 review. (attached)

12. COUNCIL MEETINGS - 2015/16**Recommendation:**

That during 23015/16 ordinary meetings of the Council be held on the following dates;

- 28 July 2015;
- 29 September 2015;
- 3 November 2015;
- 15 December 2015;
- 16 February 2016;
- 18 February 2016 (reserve date for budget meeting)
- 26 April 2016;
- 26 May 2016 (Annual Council)

At its meeting on 16 December 2014, the Council adopted a calendar of meetings for the period from May 2015 to May 2016, which included ordinary meetings of the Council for the year.

It is a requirement of the Constitution that a programme of ordinary meetings of the Council be approved at the annual meeting of the Council. The dates set out above

are those adopted on 16 December 20154.

An extraordinary meeting will be held on Tuesday 23 June 2015 in relation to the Langston Road Shopping Park.

13. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council

Date: 21 April 2015

Place: Council Chamber, Civic Offices,
High Street, Epping

Time: 7.31 - 10.20 pm

Members Present: Councillors A Boyce (Chairman), K Adams, K Angold-Stephens, R Bassett, Mrs H Brady, R Butler, D Dorrell, L Girling, R Glozier, P Gode, Mrs A Grigg, J Hart, R Jennings, Mrs S Jones, Mrs H Kane, P Keska, J Knapman, Ms Y Knight, J Lea, A Lion, L Mead, A Mitchell MBE, G Mohindra, R Morgan, S Murray, S Neville, J Philip, Mrs C P Pond, C C Pond, C Roberts, B Sandler, Mrs M Sartin, Mrs G Shiell, D Stallan, B Surtees, Mrs T Thomas, G Waller, Ms S Watson, A Watts, S Weston, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and N Wright

Apologies: Councillors Mrs E Webster (Vice-Chairman), W Breare-Hall, G Chambers, K Chana, T Church, Mrs R Gadsby, H Kauffman, Mrs M McEwen, H Mann, B Rolfe, Ms S Stavrou and Mrs L Wagland

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive and Director of Neighbourhoods), R Palmer (Director of Resources), C O'Boyle (Director of Governance), A Hall (Director of Communities), S G Hill (Assistant Director (Governance & Performance Management)), T Carne (Public Relations and Marketing Officer), A Hendry (Democratic Services Officer), P Seager (Chairman's Secretary) and R Perrin (Democratic Services Assistant)

97. WEBCASTING INTRODUCTION

The Assistant Director of Governance and Performance Management reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

98. ELECTION OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, the Chairman proposed Councillor B Rolfe for the role of Vice-Chairman for this meeting.

RESOLVED:

(1) That Councillor B Rolfe be elected Vice-Chairman for the duration of the meeting.

99. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 17 February 2015 be taken as read and signed by the Chairman as a correct record.

100. FORMER COUNCILLOR R WILMOT AND FORMER CHIEF EXECUTIVE MR BROKESHIRE

The Chairman informed the Council of the death of Former Councillor R Wilmot and former Chief Executive Mr P D Brokenshire.

The Council stood for a minute's silence in tribute to the memory of former District Councillor R Wilmot and the first former Chief Executive for Epping Forest District Council Mr P D Brokenshire.

Members were informed that Bob Wilmot had been a District Councillor for eight years representing the St Johns Ward from 1996 to 2004 and a Loughton Town Councillor from 1996 to 2004.

Members were informed that Mr P D Brokenshire was the first Chief Executive of Epping Forest district Council and piloted the authority through the difficult process of combining the four predecessor Councils under the Local Government reorganisation in 1973/74.

Members paid tribute to the memory of Bob Wilmot.

101. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

102. ANNOUNCEMENTS**(a) Presentation of Quality Councils Accreditation**

The Chairman presented Loughton Town Council and Ongar Town Council with the Quality Councils Accreditation from the National Association of Local Councils (NALC). The Chairman of NALC Councillor K Browse and the Chairman of Essex Accreditation Panel, Mr P Davey advised that Loughton and Ongar Town Councils were at the forefront of best practice achieving excellence in governance, community leadership and council development.

(b) Presentation of High Sheriff's Award

The Chairman presented Youth Councillors Chloe, Doncho and Fatemeh with the High Sheriff Shield Award acknowledging the valuable work the Epping Youth Council are doing in their community, contributing to crime reduction, community safety and anti bullying.

(c) Announcements by the Chairman

The Chairman reported that he had attended many events in and around the District including the RAF Cadets Awards in Chelmsford, the Chairman of Essex County Council Awards where Councillor J H Whitehouse collected an award for the Re-use Charity in Epping, events at Rochford, Southend, a trip on the Maldon Barge and a tour around the Southend Airport.

(d) Announcements by the Leader of the Council and Portfolio Holders

There were no announcements under this heading.

(e) Florals Display

The Chairman advised that he intended the flowers from tonight's meeting to be sent to Frank Bretton House, Ongar.

103. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions to be considered at this meeting.

104. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no Members questions made with notice to be considered at this meeting.

105. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from Members of the Cabinet.

The Chairman invited the Leader to provide an oral report and other Members of the Cabinet to give an oral update.

(a) The Leader of the Council

The Leader of the Council advised that he had attended further meetings with Leaders and Chief Executives in Essex concerning a request to the Secretary of State regarding devolution of powers to the County. The Leader advised that he had not signed this letter and he felt the Council needed to be provided with more information on combined authorities before the Council committed to any proposals and he wanted to allow Members the opportunity to debate the idea.

The Leader advised that he had also attended the One Epping Forest Health Summit held at Zinc Arts in Ongar and had attended numerous meetings regarding the duty to co-operate. He also had attended the South East Enterprise Local Partnership (SEELP), to ensure that Epping Forest did not miss out on any external future funding for infrastructure and investment.

(b) Governance and Development Management Portfolio Holder

Councillor J Philip advised that a Judicial Review taken out by Lea Valley Regional Park Authority against the Council had been rejected on all three counts and they had been refused further appeals with costs awarded to the Council, although they had been capped at £10,000.

(c) Planning Policy Portfolio Holder

Councillor R Bassett advised that the London Borough of Enfield had submitted a North East Enfield Area Action Plan for Examination which had excluded reference to a Northern Gateway Access Road (NGAR) in the District to Junction 26 of the M25. He wanted to thank Members and Colleagues from Loughton and Waltham Abbey Town Councils for additional information included in the Councils objects and advised that the hearing would be held on the 28 April 2015 and Councillor Bassett would be attending.

106. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Parking Problems – Millbank Avenue Ongar**

Councillor B Surtees asked the Portfolio Holder for Housing whether he was aware of the poor state of a piece of land that was believed to be owned by the Council's Housing department at Millbank Avenue, Ongar; and the extreme difficulties the residents had in securing parking near their homes? Would he consider action to meet the tidy land policy by working in conjunction with the local residents and Ward Councillor to resolve the issue which could include the provision of parking bays?

Councillor Stellan advised that he had spoken with Officers and there had been complaints registered over the last two years with the latest in March 2015. He advised that there were a number of options available which included doing nothing, installing parking restrictions, installing parking bays and legal action against offenders. He advised that the Housing Scrutiny Committee had looked into a Parking Policy for the District but a blanket approach was thought to be unpopular. Councillor Stellan suggested that the Off Street Parking Programme, which required support from local residents, could be an option although he was unable to guarantee where it would be prioritised in the programme and would be put forward in the 2016/17 programme due to the 2015/16 programme already being set.

(b) House building Programme - Burton Road, Loughton

Councillor Knapman asked the Portfolio Holder for Housing about the Burton Road, Loughton Housing project that had been refused planning permission by Plans South and what the costs were associated with the delaying the applications?

Councillor Stellan advised that the Housing Building Programme had been accelerated because of the necessity to use One for One receipts. Were the programme to be delayed the Council would need to pay back £328,843 plus interest at an increased rate back to the Department of Communities and Local Government. There was also a further risk of £500,000 from the Affordable Housing Grant, if phase two of the House Building Programme was to be delayed for any longer, which included the Burton Road Development.

(c) Police and PCSO's

Councillor Murray asked the Leader of Council whether:

- (a) he was aware of a Parliamentary Election in Epping Forest at the moment;
- (b) he was aware that a Parliament candidate had claimed at least twice on a leaflet that the number of Police had increase on the streets of District; and
- (c) that the Police Crime Commissioner and everyone else knew that the number of Police and PCSO has gone down in Epping Forest?

Councillor Whitbread advised that everyone was aware of the forth coming election and advised that the District had a good record on law and order.

Councillor Waller advised that he was not aware of the claims and would not like to comment until he had seen the leaflet. He advised that the police service like all other public services had been under pressure and that the number of officers on the streets may not be as high as it had been in the past, although he advised that the

Chief Constable had redeployed officers and the level of crime and disorder had continued to decrease in District.

(d) Essex Design Guide

Councillor C C Pond asked the Portfolio Holder for Planning Policy whether he would ensure that the new Essex Design Guide issued on the 1 April 2015, be adopted by EFDC Officers as supplementary planning guidance so that it could be used for the determination and appeals process?

Councillor R Bassett advised that Officers would be taking guidance from the Essex Design Guide into account.

(e) NGAR

Councillor A Watts asked the Portfolio Holder for Planning Policy whether he had seen the document produced by Enfield Council which echoed the lack of support for a Northern Gateway Access Road (NGAR) and what a good example of a duty to cooperate with Members, Town Councils and District Council officers this had been.

Councillor R Bassett advised that he had only glanced at the document, although he would be going through it in detail and checking it with officers. He advised that the work and pressure applied to Enfield Council had paid off and that people with common aims could work together and provide sound evidence and he would be attending the hearing to reconfirm the Councils view.

(f) Post Office Site Loughton

Councillor K Angold-Stephens asked the Portfolio Holder for Asset and Economic Development whether she would have meaningful discussions with the Restore Church in Loughton in relation to their aspirations and the sale of the Post Office site at Broadway.

Councillor A Grigg advised that Mr King had been in contact with her regarding a meeting, although due to her re-standing at the election she felt that the discussion should be arranged after this period and she would offer Mr King dates to meet. She also advised that as far as she was aware there had been no further discussions with other interested parties.

(g) Waltham Abbey Study

Councillor J M Whitehouse asked the Portfolio Holder for Assets and Economic Development why the District Council had spent time and money on Waltham Abbey reports that were allowed to be created in isolation to the Local Plan and that any information arising from the reports should be published and shared with the wider community?

Councillor A Grigg advised that there had been a change in precedence and the Local Plan had taken priority, although the reports would be used at a later stage. There was a wish to create an Economic Development Strategy and the reports on issues and opportunities facing Towns would be continued after the Local Plan and should be used to inform the Local Plan.

107. MOTIONS**(a) Recycling and the Council's Green Credentials**

Moved by Councillor Waller and Seconded by Councillor Philip

“This Council welcomes the recent publication by the Department for Environment, Food & Rural Affairs of local authority recycling statistics, demonstrating that Epping Forest District Council has the tenth highest recycling rate for local authorities in England; congratulates the District's residents on their unremitting commitment to recycling, which greatly contributes to this achievement; notes with approval this demonstration of the Council's strong green credentials; and pledges to continue its efforts to be one of the most environmentally friendly local authorities in the country.”

Motion as first moved ADOPTED

RESOLVED:

That the Council;

- (1) welcomes the recent publication by the Department for Environment, Food & Rural Affairs of local authority recycling statistics, demonstrating that Epping Forest District Council has the tenth highest recycling rate for local authorities in England;
- (2) congratulates the District's residents on their unremitting commitment to recycling, which greatly contributes to this achievement;
- (3) demonstration of the Council's strong green credentials be noted; and
- (4) pledges to continue its efforts to be one of the most environmentally friendly local authorities in the country.

108. MEMBERS' ALLOWANCES SCHEME - REVIEW

Mr Stephen Lye, a member of the Remuneration Panel presented a report following a review by the Panel of the following aspects of the Members' Allowances Scheme:

- (a) Basic Allowance;
- (b) Special Responsibility Allowances;
- (c) the Allowance for the Chairman of the Constitution Working Group;
- (d) an Allowance for the Independent Persons on the Standards Committee;

Report as first moved **ADOPTED**

RESOLVED:

Basic Allowance

- (1) That no change be made to the amount of Basic Allowance of £4,300 per Member per annum;

(2) That in formulating future budgets, the Council would consider increasing further the level of implementation of the Basic Allowance to achieve the full Basic Allowance;

Special Responsibility Allowances

(3) That no changes be made to the Special Responsibility Allowances;

(4) That the Chairman of the Constitution Working Group be paid a Special Responsibility Allowance of £2,150 for 2015/16;

(5) That the application of the Special responsibility Allowance for the Chairman of the Constitution Working Group for 2016/17 and beyond, be reviewed by the Remuneration Panel during 2015/16; and

Revised Scheme and Guidance

(6) That the Members' Allowances Scheme and Guidance Note for 2015/16 attached be adopted and implemented with effect from 28 May 2015.

109. WASTE MANAGEMENT PARTNERSHIP BOARD 2015

Mover: Councillor Whitbread, the Leader of Council

Councillor Whitbread presented a report on the re-establishment of the Waste Management Partnership Board to monitor the Waste Management Contract with Biffa Municipal Limited and the approval of membership.

Report as first moved **ADOPTED**

RESOLVED:

(1) That the Waste Management Partnership Board be re-established from 2015/16; and

(2) That the Membership for the Board be approved to include the following;

- (a) The Environment Portfolio Holder (as Chairman)
- (b) The Finance Portfolio Holder
- (c) The Director of Neighbourhoods
- (d) The assistant Director of Neighbourhoods (Technical); and
- (e) The Council's representative under the Contract.

110. CORPORATE PLAN 2015-20

Mover: Councillor Whitbread, Leader of the Council

Councillor Whitbread presented a report on the Council's Corporate Plan 2015-20 and Key Action Plan for 2015/16.

Amendment moved by Councillor K Angold-Stephens and Seconded by Councillor D Wixley.

To include the wording 'and are available to those without a computer.' in the third paragraph of Partnership Case Studies on page 11 of the Corporate Plan 2015-20.

Carried

RESOLVED:

- (1) That the Corporate Plan 2015-20 and Key Action Plan for 2015/16 attached as appendix 1 be adopted.

111. OVERVIEW AND SCRUTINY

The Council received a written report from Councillor Morgan, the Chairman of Overview and Scrutiny Committee.

112. OVERVIEW & SCRUTINY PANEL FRAMEWORK**Mover: Councillor K Angold-Stephens, Chairman of the Overview & Scrutiny Review Task and Finish Panel**

Councillor K Angold-Stephens presented a report on a review of the existing framework of the Council's scrutiny panels.

Report as first moved **ADOPTED**

RESOLVED:

- (1) That the establishment of a new overview and scrutiny framework, based on a structure of four 'select committees', be introduced with effect from the commencement of the 2015/16 municipal year;
- (2) That the number of members appointed to the select committees remain unchanged from the current scrutiny panel framework, and that eleven councillors be appointed to membership of each select committee by the Overview and Scrutiny, in accordance with pro-rata provisions;
- (3) That, as a result of the implementation of the new select committee framework, the existing Constitution and Member Services Scrutiny Panel be disbanded with immediate effect, and be re-established as a new 'Constitution Working Group' for 2015/16;
- (4) That the Appointments Panel be recommended that to ensure continuity during the on-going review of the Council's constitution, existing members of the Constitution and Member Services Scrutiny Panel be appointed (where possible) to the Constitution Working Group for 2015/16 at the annual Council meeting on 28 May 2015, and that the total number of members appointed to the Working Group remain at eleven in accordance with pro-rata provisions;
- (5) That the proposed terms of reference of the Constitution Working Group be agreed, and the Working Group report directly to the Council in connection with the achievement of its work programme related to the review of the constitution;
- (6) That, on the recommendation of the independent Member Remuneration Panel, a Special Responsibility Allowance of £2,150 be applied to the position of the Chairman of the Constitution Working Group for 2015/16 in accordance with the Council's Member Remuneration and Expenses Scheme; and

(7) That the Director of Governance be authorised to undertake any consequential amendments to the Council's constitution necessary for the implementation of the select committee framework and the Constitution Working Group, including the removal of provisions relating to the existing scrutiny panel structure as required.

113. REVIEW OF OPERATION OF PLANNING COMMITTEES AND TERMS OF REFERENCE

Mover: Councillor M Sartin Chairman of Constitution & Members Services

Councillor M Sartin submitted a report of the Constitution & Members Services Panel regarding the review of operational arrangements for the Planning Committees and changes to the Terms of Reference.

Councillors C C Pond, S Weston, L Mead and B Jennings stood and requested a recorded vote.

There voted for the recommendation: (28) namely: Councillors R Bassett, H Brady, K Chana, T Church, D Dorrell, R Glozier, A Grigg, J Hart, S Jones, H Kane, P Keska, J Knapman, Y Knight, J Lea, A Lion, A Mitchell, G Mohindra, R Morgan, J Philip, B Sandler, M Sartin, G Shiell, D Stallan, G Waller, S Watson, A Watts, C Whitbread, N Wright.

There voted against the recommendation: (16) namely: K Adams, K Angold-Stephens, P Gode, B Jennings, L Mead, S Murray, S Neville, C C Pond, C P Pond, C Roberts, B Surtees, T Thomas, S Weston, J H Whitehouse, J M Whitehouse and D Wixley.

There abstained from voting: (3) namely: A Boyce, R Butler and B Rolfe

Report as first moved **ADOPTED**

RESOLVED:

- (1) That the attached revised Article (Appendix 2) on the operation and arrangements for planning committees be adopted;
- (2) That the District Development Control Committee be renamed District Development Management Committee;
- (3) That the revised Article be included in the Council's Constitution with immediate effect subject to a review during 2016.

114. AMENDMENTS TO THE COUNCIL'S COMPLAINTS SCHEME

Mover: Councillor M Sartin Chairman of Constitution & Members Services

Councillor M Sartin submitted a report on amendments to the Council's Complaints Scheme.

Report as first moved **ADOPTED**

RESOLVED

- (1) That Step 4, Review of Complaints by the Member Complaints Panel be discontinued;
- (2) That the provisions relating to the Complaints Panel contained within the Constitution be removed; and
- (3) That the Appointments Panel be advised that nominations to the Complaints Panel would no longer be required.

115. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

The Chairman informed members that there were no reports to be considered on the business of joint arrangements and external organisations.

No requests were made for written reports to be made by representatives on joint arrangements and external organisations at the next meeting.

116. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting for the items of business set out below on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
20	Epping Forest Shopping Park – Progress Report	3

117. EPPING FOREST SHOPPING PARK - PROGRESS REPORT

Mover: Councillor A Grigg, Assets and Economic Development Portfolio Holder

Councillor A Grigg submitted a report on a supplementary Capital estimate for ongoing consultants' legal costs and payments to statutory undertakers whilst the negotiations with Polofind Limited on the Epping Forest Shopping Park were concluded.

Report as first moved ADOPTED

RESOLVED:

- (1) That the supplementary Capital estimate of £600,000 to cover ongoing consultants' legal costs and payments to statutory undertakers be approved.

CHAIRMAN



Working for our future

A corporate plan for Epping Forest District Council
2015 - 2020



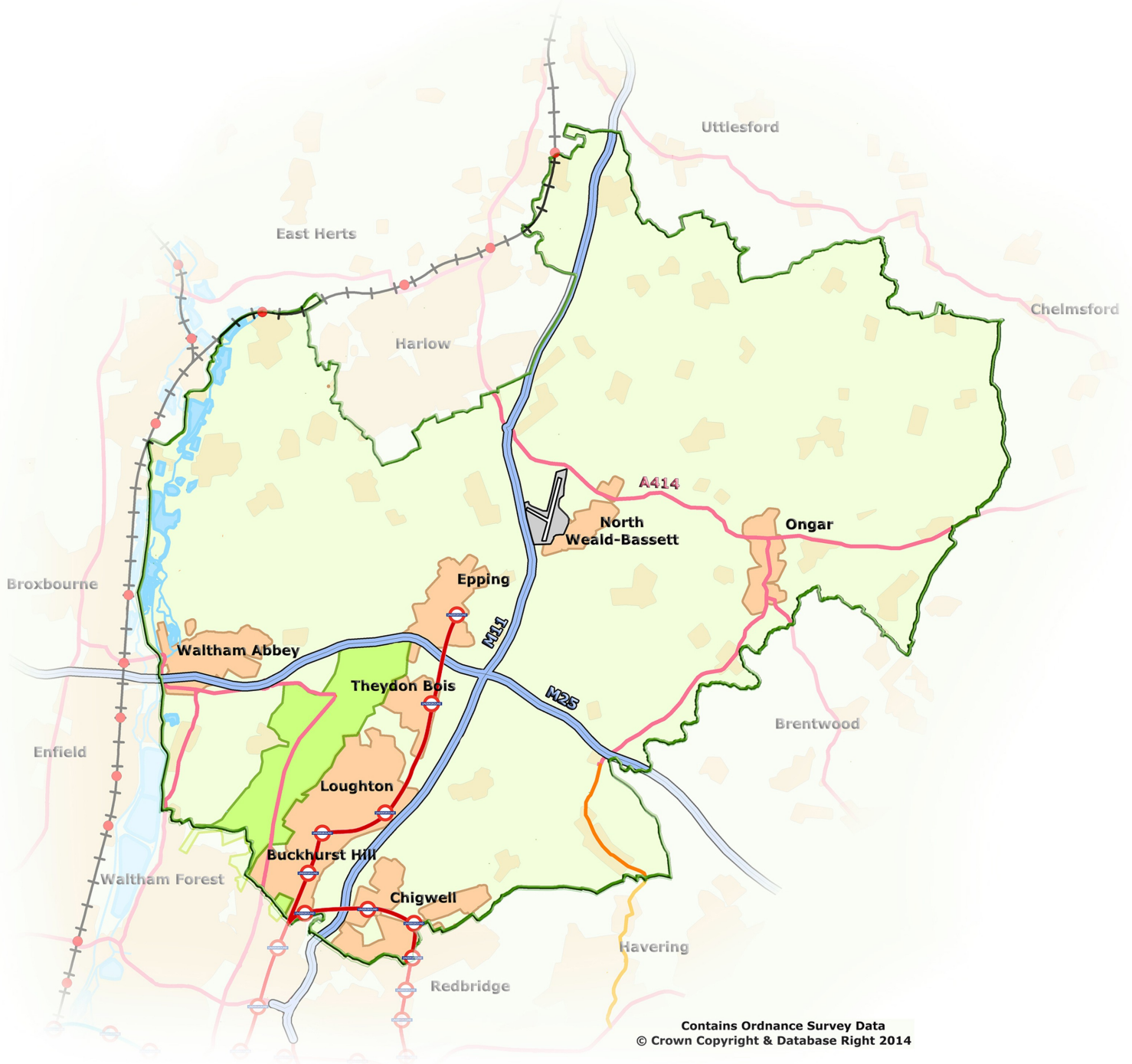
Page 17

**Epping Forest
District Council**

11

www.eppingforestdc.gov.uk

Epping Forest - a district full of character. We want it to continue to be great place to live, work, play, study and do business.



Introduction

Welcome to Epping Forest District Council's Corporate Plan 2015 - 2020. This document sets out a framework for Council policy and decision making over that five year period. It helps the Council to carry out its responsibilities in an ordered and logical way.

This Plan does four things:

1. It sets out **a vision** of where the Council wishes the district to be in five years.
2. It outlines **key aims and objectives** for the Council which are designed to ensure that the vision becomes a reality.
3. It **informs the local community** about what the Council wants to achieve, allowing Council Tax payers and others who live or work in the district to monitor progress and judge how successful the Council is in meeting local needs.
4. It indicates for its **partners in service provision** the path which the Council intends to take.

What does the Plan contain?

Section 1 (pp4-5)

District overview and vision

Epping Forest District profile as at 2015, highlighting important issues to be addressed over the five years of the Plan and beyond. A summary of the Council vision for the district in 2020.

Section 2 (pp6-9)

Strategic Aims and Key Objectives

The Council's three fundamental aims to achieve its vision, and the key objectives which support them - addressing the issues affecting the district and service delivery.

Section 3 (pp10-11)

Reporting the Council's Performance and Partnership Working

With information and hyperlinks to performance information about the Council and its partnerships with other organisations.

Our district

Epping Forest District in Essex takes its name from the forest which runs from its southern boundaries northwards. The district shares boundaries with Greater London and Hertfordshire.

The three main settlements of Buckhurst Hill, Chigwell and Loughton contain more than half the district's population of approximately of 124,700 people. However, this southern area amounts to only five percent of the district. The remaining 95 percent is made up largely of separate market towns, villages and hamlets in attractive countryside. Most of the district is designated within the protective status of the Metropolitan Green Belt.

Services are provided at three levels by Essex County Council, Epping Forest District Council and local Town and Parish Councils.

District Council services include:

- housing
- street cleansing
- waste collection and recycling
- sports and recreation
- planning applications for homes and business
- voter registration
- benefit administration
- council tax and business rate collection
- environmental health

County Council services include:

- education
- social care
- highways and transportation

Parish and Town Council services include:

- allotments
- burial grounds and cemeteries
- public halls
- playgrounds and sports grounds

Forecasts suggest that the population of the district could rise significantly from the current 124,700 over the next twenty years.

A key factor in this estimated growth is that life expectancy in the district is higher than the national average and rising. Projections indicate that by 2020 over 55 percent of the district's population will be 60 years+.

Although the population of the district is fairly affluent there are some areas of deprivation with children living in poverty. Nearly a quarter of the district's adult population and almost a fifth of children in school year six are classified as being obese.

Unemployment is generally low. Many residents commute to jobs in London. The district is well connected by eight London Underground stations and a National Rail station. The M25 and M11 provide good road links including a fast route to Stansted Airport. Local employment opportunities centre on distribution, hotels, restaurants, banks and finance and public services.

Whilst crime and fear of crime remain a cause of local concern, in comparison with many other places, the district is a safe place to live and work.

Our vision

We want to make best use of existing infrastructure to meet the district's need for development in the most sustainable locations with the least possible impact on our natural and historic environment.

We want to keep the individual character, identity and separateness of our towns and villages by protecting the Green Belt.

We want new homes to meet the needs of local people while also supporting economic development. The scale of development should be appropriate to the size of our towns and villages, bringing vitality and other benefits to our communities.

We want to maintain and protect access to our open and natural spaces including Epping Forest, The Lea Valley Regional Park and the countryside.

We want more and better cultural, community and recreational facilities.

We want to keep our strong links with London whilst also developing a more sustainable local economy including increased leisure and tourism, aviation, research and development, food production and the building industry.

We want to build relationships with our partners to develop initiatives and service improvements with reduced costs, greater efficiency and better value for money.

We want to design and build our services around the needs of our ageing population and residents living in deprivation.

We want a low Council Tax.

We want to embrace modern technology and innovation as we strive to improve the quality and efficiency of our services.



Our strategic aims and key objectives

The Council has identified three key strategic aims in achieving its vision for the district over the course of the five-year plan.

Objectives have also been identified as key to achieving the three aims of the Plan. An Action Plan setting out specific activities and target dates will be set out each year to deliver the objectives. Progress will be monitored quarterly.

The aims and objectives are the Council's top strategic priorities which we want to address over the lifetime of the Plan. Therefore they are not a full list of all the things the Council does. The Council provides many services which will continue to be provided throughout the life of the Plan and beyond. The aims and objectives provide a framework within which we can develop our detailed service plans and allocate our resources over the five year period.

Aim 1 - To ensure that the Council has appropriate resources, on an ongoing basis, to fund its statutory duties and appropriate discretionary services whilst continuing to keep the Council Tax low.

(a) Budgets - Our Objective

To ensure that the Council's Medium Term Financial Strategy meets the Council's financial and service requirements for any forward five year period, whilst minimising any reliance on Government funding.

Concern about the national budget deficit and borrowing will continue to influence the Council's financial planning. We expect further reductions in Government funding over the five-year period which will continue to challenge our financial planning and local service delivery.

The Council will therefore continue to review its services to find ways of reducing costs and achieving better value for money.

All budgets relating to 'statutory' services (those which must be provided by the Council) and 'discretionary' services (which the Council is not required by law to provide) will be reviewed critically each year.

Whilst the Council's primary aim is to provide residents with good quality services, we also aim to keep Council Tax levels as low as possible and deal with financial pressures by managing our budgets with care.

(b) Property Assets - Our Objective

To continue reviewing and developing the Council's own property and landholdings for appropriate uses, in order to maximise revenue streams and capital receipts, and to deliver the following key projects:

- the Epping Forest Shopping Park, Loughton
- the Council House Building Programme
- St John's Redevelopment Scheme, Epping
- North Weald Airfield

The Council owns land including a wide-ranging and significant number of residential, commercial, industrial and operational properties.

The Council will continue to explore new ways of using its land and assets to generate more capital receipts and income to support the delivery of services to our residents.

In so doing, the Council will give our own council house building and economic development schemes added impetus. With the key sites listed

above in mind, the Council's investment will boost the local economy of the district at the same time.

(c) Joint Working - Our Objective

To explore appropriate opportunities to make savings and increase income through the shared delivery of services with other organisations, where such arrangements would provide improved and/or more cost effective outcomes.

Working with our partners including other councils, we will seek new opportunities for cost savings and improved value for money by providing services across more than one district. Activities likely to be suitable for this approach are highlighted in the Plan.

Aim 2 - To ensure that the Council has a sound and approved Local Plan and commences its delivery.

(a) The Local Plan - Our Objective

To undertake consultation with local residents and work with neighbouring Councils, and to publish a sound Local Plan which meets the needs of our communities whilst minimising the impact on the district's Green Belt.

We plan to achieve the right balance between the employment, housing and leisure needs of our residents while protecting the special character of our district and the Green Belt in particular. We will do this by producing a Local Plan to ensure new development with all necessary



Our strategic aims and key objectives.....continued

infrastructure in the most suitable and sustainable locations.

(b) Economic Development Strategy - Our Objective

To increase opportunities for sustainable economic development and new local employment in the district.

The promotion of sustainable economic development, employment and support for local business is a key issue for the Council. Key objectives put forward relate to local town centres, business partnerships and young peoples' apprenticeship schemes.

(c) Leisure & Cultural Strategy - Our Objective

To deliver the Council's new Leisure and Cultural Strategy, in order to maximise participation and value for money in leisure and cultural services for local residents and visitors.

Proposals to develop cultural and recreational facilities in the district are included in the Plan. Key objectives highlight both new facilities and existing establishments that are to be enhanced and expanded. These proposals link with the review of the Council's property assets. They also improve local employment prospects and recognise the importance of partnerships in delivering some new facilities.

Aim 3 - To ensure that the Council adopts a modern approach to the delivery of its services and that they are efficient, effective and fit for purpose.

This aim focuses on the Council's ways of working and our responsiveness to the needs of the local people.



(a) Customer Contact - Our Objective

To have efficient arrangements in place to enable customers to easily contact the Council in a variety of convenient ways, and in most cases have their service needs met effectively on first contact.

The possibilities opened up by the use of new technology are among the issues under review as the Council focuses on the ways of improving the ways we contact and communicate with our residents.

(b) Modernising Council Operations - Our Objective

To utilise modern technology to enable Council officers and members to work more effectively, in order to provide enhanced services to customers and make Council services and information easier to access.

Our key initiatives include the Council's focus on information technology to support our working practices. Key projects have been identified to ensure the Council's IT infrastructure is upgraded to ensure it meets future demands.

Other proposals deal with the way in which the Council operates as an organisation. The Council will examine where information technology can be used to cut costs, improve efficiency, allow more flexible working patterns, release office space and provide a wider range of information to the public through our website.

(c) District Demographic Profile - Our Objective

To ensure that the Council understands the effects of an ageing population and works with other agencies to make appropriate plans and arrangements to respond to this need.

The Council already has research data drawing attention to the age profile of our local population and on areas of social deprivation. The average age of residents is increasing but the implications of this for Council services are not fully understood.



The photo is reproduced courtesy of Tunstall, supplier of telecare equipment to EFDC

Our performance

To ensure the Council remains on target, it is essential to monitor the progress of our aims and objectives. Performance monitoring allows the Council to see problems as they arise and intervene to bring us back on track. We monitor our performance against our Key Action Plan and publish progress reports every three months.

Residents and councillors can keep track of the Council's performance. Various monitoring reports are published online. These are regularly updated working documents for staff and councillors responsible for the key actions in the Plan.

Performance information will be made available via our website and can be accessed using the following links:

[See the latest quarterly Key Action Plan performance report.](#)

[See how we are performing against our key performance indicators.](#)

[Read the Council's Directorate Business Plans.](#)



Our partners

The Council works in partnership with many other agencies. These include Essex County Council, the Health Service, the Police, Essex Fire and Rescue, Parish and Town Councils, voluntary organisations and the private sector.

Working to reduce costs and deliver services efficiently and effectively on a wider basis, this Plan stresses the importance of seeking and reviewing opportunities for partnerships. Working with our partners, the Council can utilise the co-ordinated strengths and expertise of each organisation for the benefit of our own community as well as the wider area of West Essex with which we have particularly good links.

Partnership Case Studies:

1) Herts and Essex Housing Options Consortium

Applicants for council housing apply through the 'Choice Based Lettings Scheme' which we operate in partnership with five other councils and an agency. The partnership approach reduces costs in several ways.

Sub-contracting the management of the housing register allows home-seekers to apply online. Homelessness applications and annual renewals can be managed more efficiently. Partners share experience, ideas and best practice.

Vacated properties (including homes let by housing associations) are advertised online every fortnight and are available to those without a computer. Each property listing includes location, type (e.g. house, flat, bungalow etc.), rent, service charge, Council Tax band and landlord.

Home-seekers can make an application by 'expressing interest' on up to three properties by phone, text, email or website. The Council then makes an offer according to the rules of the Housing Allocations Scheme. Usually this means the applicant with the highest priority band registered for the longest time.

Each property list includes general information about the allocation of previous properties. This helps prospective applicants understand how the scheme works and their chances of a successful bid for different types of property. It includes information on the number of people expressing an interest, their priority bandings and the length of time they have been registered while waiting for housing.

2) Epping Forest Community Safety Partnership

Epping Forest Community Safety Partnership is led and administered by Epping Forest District Council. Its primary role is to reduce crime within the district, through the identification of key priorities and the delivery of targeted projects. The well-established partnership includes eleven local agencies with an interest in the district - including councils, the emergency services, probation agencies and the voluntary sector.

Partnership working has resulted in a number of successful outcomes. Essex Police and Crime Commissioner funding for a Crime Analyst with two other partnerships in Essex provides tracking and co-ordination of essential data on criminal trends. Other initiatives include the '*Crucial Crew*' and the '*Essex Fire Break Project*', both of which encourage young people to think about the way they conduct themselves within society.

Please tell us if you would like this information provided in large print or another format.

Epping Forest District Council
Civic Offices, High Street, Epping, Essex CM16 4BZ
Telephone: Epping (01992) 564042
www.eppingforestdc.gov.uk

Article 10

District Development Management Committee and Area Plans Subcommittees.

The Council will establish the following Committees which shall be appointed by the Council at its annual meeting.

Membership

- (1) The following shall be the non-executive committees of the Council, consisting of the number of members set out below:

Committee or Subcommittee	Number of Councillors	Membership
District Development Management Committee	15	15 members of the Council appointed by the Council at its Annual meeting, subject to pro rata requirements and including those members appointed as Chairman of each Area Planning Subcommittee. Members to be appointed on the basis of aptitude, interest and planning experience
Area Plans Subcommittee South	25 members (Max)	All District Wards in the Parishes of Buckhurst Hill, Chigwell and Loughton. – subject to (3) below and quorum requirements set out in the Council rules
Area Plans Subcommittee East	19 members	District Wards of Chipping Ongar, Greensted and Marden Ash; Epping Hemnall; Epping Lindsey and Thornwood Common; Hastingwood, Matching and Sheering Village; High Ongar; Willingale and The Rodings; Lambourne; Lower Sheering; Moreton and Fyfield; North Weald Bassett; ; Passingford; Shelley and Theydon Bois.
Area Plans Subcommittee West	14 members	All District Wards in the Parish of Waltham Abbey together with the District Wards of Lower Nazeing; Broadley Common, Epping Upland and Nazeing and Roydon.

- (2) Members of the Council appointed to each Area Plans Subcommittee shall be drawn solely from those representing wards within the area for which the Subcommittee is responsible shown in column three above. Seats on each Subcommittee shall be allocated to all Councillors representing electoral wards in the areas concerned. The

requirement for the appointment of Subcommittees from all members of the Council shall not apply to the Area Plans Subcommittees.

- (3) The Area Plans Subcommittee (South) shall comprise a maximum of 25 Councillors, being the total number representing wards in the area for which the Sub Committee is responsible. At the Annual Council meeting, the Council shall determine the membership of that Subcommittee on the basis of the number of Councillors who sign a written notice stating that they wish to serve on the Subcommittee for the ensuing year. Any Councillor who does not sign a notice shall be deemed not to be a member of the Subcommittee for the year in question. Councillors may not retract a signed notice or seek to join the Subcommittee by signing a notice until the next Annual Council meeting.
- (4) A member of the executive may serve on an Area Plans Subcommittee if otherwise eligible to do so as a Councillor.

Responsibility for functions:

The Committee and Subcommittees the subject of this Article have responsibility for determining matters which have been delegated by the Council and the Executive shown in Part 3 of this Constitution, showing those which are the responsibility of the Executive and those which are not Executive functions and any limitations on delegation.

Terms of Reference:

District Development Management Committee

- (1) To determine:
 - (a) Any development proposals which affect more than one Area Plans Subcommittee;
 - (b) Any 'large scale' application¹ (as defined within guidance issued by the Department for Communities and Local Government (DCLG));
 - (c) Any 'major' application² (as defined within guidance issued by the DCLG) where the Council is the land owner.
 - (d) Any application referred by an Area Plans Subcommittee by resolution, by a minority of members of an Area Plans Subcommittee in accordance with the Council's Rules or where the Subcommittee is unable to determine the application.
- (e) To determine any recommendation of an Area Plans Subcommittee which relates to potential decisions liable to give rise to claims for costs or compensation, including

¹ 'Large-scale major development' means development involving any one or more of the following;

- (a) The provision of dwellinghouses where (i) The number of dwellinghouses to be provided is 200 or more: or (ii) The development is to be carried out on a site having an area of 4 hectares or more where the number of dwellinghouses is not known (normally an Outline application) or
- (b) The provision of a commercial building or buildings where the floor space to be created by the development is 10,000 square metres or more: or
- (c) Commercial development carried out on a site having an area of 2 hectares or more.

² 'major development' means development involving any one or more of the following;

- (a) The provision of dwellinghouses where (i) The number of dwellinghouses to be provided is 10 or more up to 199: or (ii) The development is to be carried out on a site having an area of 0.5 hectares or more but just less than 4 hectares where the number of dwellinghouses is not known (normally an Outline application)..
- (b) The provision of a commercial building or buildings where the floor space to be created by the development is 1,000 square metres or more up to 9,999 square metres: or
- (c) Commercial development carried out on a site having an area of one hectare but less than 2 hectares.

development management matters and enforcement of planning requirements (including recommendations of no action) but excluding works on preserved trees.

- (f) Any planning application or other planning matter submitted by, or on behalf of, a Councillor of the Authority (and/or a spouse or partner thereof).

Area Plans Subcommittees:

- (1) To consider all applications (except as may be delegated to the Assistant Director Governance – Development Management or fall to the District Development Management Committee to determine as set out above) received for development within the respective Subcommittee area and, except as detailed below, to make decisions on behalf of the district planning authority thereon.
- (2) Subject to the prior approval of the Chairman of the Subcommittee, to consider informal proposals for development and to give guidance to Assistant Director Governance – Development Management.
- (3) To consider planning applications made by other authorities which are considered by the Assistant Director Governance – Development Management to require member response.
- (4) To consider and make recommendations to the District Development Management Committee on applications for development within the respective Subcommittee Area where:
 - (i) the Subcommittee's proposed decision is a substantial departure from
 - (a) the Council's approved policy framework; or
 - (b) the development or other approved plan for the area; or
 - (c) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive
 - (ii) the refusal of consent may involve the payment of compensation; or
 - (iii) the District Development Management Committee have previously considered the application or type of development and has so requested; or
 - (iv) the Subcommittee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.
- (5) Applications made by officers of the Council defined in Appendix A of the Planning Services Scheme of Delegation which are required to be determined by a subcommittee.
- (6) Where an application is objected to by a Councillor in a purely personal capacity.

Public Participation at District Development Management Committee and Area Plans Subcommittees on Planning Matters

- (1) There shall be afforded to those classes of persons specified in the rules for participation at Appendix 1 to this Article an opportunity, on request, to make oral representations to any Area Plans Subcommittee (or in appropriate circumstances,

the District Development Management Committee) meeting concerning any planning application or related matter before that Subcommittee for determination.

- (2) The procedure for dealing with requests to address an Area Plans Sub-Committee or the District Development Management Committee shall be as prescribed from time to time by the Council and as set out in Appendix 1.

Site Visits

- (1) Formal Site visits may be undertaken of any potential development site subject to application where there is a substantial benefit to the decision-making process. Such a visit may be approved by the Subcommittee at the meeting where they are being asked to determine the matter or in advance on the recommendation of Assistant Director Governance – Development Management in consultation with the Chairman of the Subcommittee.
- (2) Formal Site visits will be undertaken following the guidance at Appendix 2 to this Article.

**RULES FOR PARTICIPATION ON PLANNING MATTERS AT COUNCIL,
AREA PLANS SUB AND DISTRICT DEVELOPMENT MANAGEMENT COMMITTEE
MEETINGS**

1. The following persons shall be able, on request, to address the appropriate Area Plans Subcommittee and/or District Development Management Committee on any planning application or related matter within its terms of reference and included on any agenda, for a period of three minutes:
 - (a) one objector;
 - (b) one representative of any relevant Parish or Town Council for the purpose of explaining the views of that Council on the matter in question;
 - (c) one representative of any other authority consulted on the application or as a statutory consultee where they have so requested; and
 - (d) the applicant (or one nominated agent or representative);

In the case of planning applications which have a District wide significance, it shall be permissible for the Chairman of an Area Plans Subcommittee or the District Development Management Committee, to allow any Parish or Town Council to comment on such an application.

2. For the purposes of this Standing Order the definition of "planning application or any related matter" shall not include any existing or proposed enforcement act under the Planning Acts.
3. The Chairman of the Committee or Subcommittee may allow additional speakers in exceptional circumstances
4. Persons wishing to address the Committee or Subcommittee are required to register with Democratic Services by 4.00 pm on the day before the meeting. The Chairman may make changes or additions to speakers after that time at their discretion.
5. Persons addressing an Area Plans Subcommittee shall be allowed no more than three minutes to present their case. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Subcommittee members.
6. Written submissions and photographic or similar material will not be considered by an Area Plans Subcommittee or District Development Management Committee. Any written submissions received after the agenda is produced will be verbally summarised and reported to the Committee.
7. The right to address the Committees is extended to both the Area Planning Subcommittees and the District Development Management Committee (but not to Council). Having previously made representations at an Area Subcommittee does not preclude any applicant, objector or parish/town council representative from speaking again when the matter is reconsidered.

Guidance for Members at Site Visits

Formal site visits may be requested by any planning committee. These can be requested either before a planning meeting or resolved at the meeting concerned. However, these consume resources and delay determination of an application. It is good practice to consider site visits only where there is a substantial benefit to the decision-making process, e.g. when the impact of the proposed development is difficult to visualise from prior inspection from a public place, or from the plans and the supporting material; or it is particularly contentious.

It is recognised that Councillors are subject to lobbying on specific applications. In such cases, it is essential that care is taken to maintain the Council's and its members' integrity so as to protect the credibility of the planning process.

Councillors are asked to bear in mind the following guidance when undertaking planning site visits so as to avoid the perception of pre-determination.

- Site visits should be undertaken at an agreed predetermined time and conducted in a single group with a planning officer present at all times.
- Members of the committee concerned are encouraged to attend site visits.
- The site visit is managed by the Chairman, Vice-Chairman or planning officer present. The Chairman or Vice Chairman will remind Councillors of the guidance at the beginning of each visit. Members of the committee or subcommittee should not enter into discussions with interested parties, such as the applicant, the agent or neighbours during the visit.
- Councillors/Planning Officers should not allow interested parties to use the site visit as an opportunity of lobbying members of the committee. It is made clear to other parties at the outset that the purpose is to gather information and to view the site only.
- Any questions from Councillors should be limited to questions of fact and directed, in the first instance, to the planning officer present and not directly to interested parties present.
- In the interests of fairness to all parties, members as a single group should consider the desirability of viewing an application site from more than one property when the site visit is arranged.
- Councillors must ensure that the application is not determined at the site visit
- Councillors should avoid acceptance of any hospitality at a site visit which could be misinterpreted by third parties.

**PART TWO – COUNCIL AND
REGULATORY FUNCTIONS**

**DELEGATION APPROVED BY
OR ON BEHALF OF THE COUNCIL**

D38

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL1	Council - 29.10.85 (Minute 57(2))	DIRECTOR OF GOVERNANCE	ACCESS TO INFORMATION ACT 1985 – PROPER OFFICER To act as Proper Officer for the purposes of the Act generally and in particular for the purposes of – Section 100(B)(2) – circulation of reports and agenda Section 100(B)(7)(c) – supply of documents to the press Section 100(C)(2) – summaries of minutes Section 100(D)(1)(a) – compilation of lists of background papers Section 100(D)(5)(a) – identification of background papers Section 100(F)(2) – papers not open to members
CL2	Policy & Co-ordinating Committee (Minute 62(1) - 11.2.86)	CHIEF EXECUTIVE SERVICE DIRECTORS	ACCESS TO INFORMATION ACT 1985 – DEPOSIT OF BACKGROUND DOCUMENTS Proper Officers for the purpose of Section 100(D)(1)(b) – provision of one copy of relevant background papers to be open for inspection by the public at all reasonable times.
CL3	Policy & Co-ordinating Committee (Minute 56 – 30.9.97)	DIRECTOR OF GOVERNANCE	AFFIDAVITS – SWEARING OF To secure sworn affidavits from any member of Council staff where required by the Council.
CL4	Council (Minute 104(5) – 19.4.83)	CHIEF EXECUTIVE SERVICE DIRECTORS	APPRAISAL OF TOP MANAGEMENT* To implement the Council’s scheme for staff performance development reviews (*NB. ‘Top Management’ includes Service Directors) APPRAISAL OF STAFF To implement the Council’s scheme for staff performance development reviews (NB excluding Service Directors).

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL5	Personnel Sub-Committee (Minute 13 – 7.6.88)	CHIEF EXECUTIVE SERVICE DIRECTORS	ATTENDANCE ALLOWANCES FOR OFFICERS To authorise, in cases where the Service Directors determine that time off in lieu cannot be allocated due to workload, the attendance of such officers at any function or meeting and to grant payments on rates applicable for weekend working, in the same way as currently applies to Members' approved duties.
CL6	Council (Minute 78(5) – 27.2.90)	DIRECTOR OF RESOURCES	BORROWING DETERMINATION (a) To discharge all powers regarding sources of borrowing available to the Council under Section 43(2) of the Local Government and Housing Act 1989 subject to regular monitoring reports to the Cabinet, and (b) To compile and maintain a register of loan instruments.
CL7	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	BYELAWS – CERTIFICATION To act as Proper Officer for the purposes of Section 238 of the Local Government Act 1972.
CL8	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	BYELAWS – PARISH & COUNTY COUNCIL COPIES To act as Proper Officer for the purposes of Section 236(a) of the Local Government Act 1972.
CL9	Policy & Co-ordinating Committee (Minute 48 – 3.12.85)	CHIEF EXECUTIVE SERVICE DIRECTORS	CAR LEASING SCHEME (a) To approve applications from eligible staff under the Scheme; (b) To check eligibility of applicants, approve ordering of vehicles, notify users of outcome of applications; and (c) To be responsible for the financial administration of the Scheme;

page 37

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Cabinet (Minute 61 – 1.9.08) Personnel Sub-Committee (Minute 37 – 25.7.89)	MANAGEMENT BOARD CHIEF EXECUTIVE SERVICE DIRECTORS	(d) To determine essential car user status for relevant staff posts. (e) To authorise early termination charges to members of staff with leased cars who receive redundancy notices; (f) To determine the appropriate user business mileage contribution banding for each member of staff receiving authorisation for a leased car.
CL10	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	CHAIRMAN OF COUNCIL – CASUAL VACANCY To act as Proper Officer for the purposes of Section 88(2) of the Local Government Act 1972 (Convening of special Council meeting to fill casual vacancy in the office of Chairman of the Council).
CL11	Finance Sub-Committee (Minute 13 – 14.11.73)	DIRECTOR OF RESOURCES (or other duly authorised signatory)	CHEQUES – SIGNING To sign cheques on behalf of the Council.
CL12	Council (Minute 90(4) – 22.4.97) S.O. F1(3), F1(4)	MR R PALMER DIRECTOR OF RESOURCES (MR PETER MADDOCK, ASSISTANT DIRECTOR AS DEPUTY)	CHIEF FINANCIAL OFFICER Designated as Chief Finance Officer being the officer having responsibility under Section 151 of the Local Government Act 1972, Section 73 of the Local Government Act 1985 and Section 114 of the Local Government Finance Act 1988.
CL13	Policy & Co-ordinating Committee (Minute 51 – 4.1.94)	DIRECTOR OF RESOURCES	COLLECTION FUND To calculate the surplus or deficit on the Collection Fund in accordance with the Local Authorities (Funds) (England) Regulations 1992.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL14	Council (Minute 90(4) – 22.4.97)	CHIEF EXECUTIVE/ DEPUTY CHIEF EXECUTIVE/ DIRECTOR OF GOVERNANCE ASSISTANT DIRECTOR (LEGAL SERVICES) ASSISTANT DIRECTOR (GOVERNANCE & PERFORMANCE MANAGEMENT)	COMMON SEAL – ATTESTATION OF To attest the Common Seal of the Council.
CL15	Personnel Sub-Committee (Minute 13 – 15.11.73)	CHIEF EXECUTIVE SERVICE DIRECTORS	COMPASSIONATE LEAVE To grant to staff up to five days leave (with pay) per year for compassionate reasons. (Note: Leave in excess of five days to be granted at the discretion of the Management Board).
CL16	Council (Minute 18 - 18.6.12)	MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)	CONDUCT OF COUNCILLORS In accordance with Sections 26-37 of the Localism Act 2011: (a) To determine whether a complaint merits formal investigation after consultation with the independent person; (b) To arrange any such investigation; (c) To seek resolution of complaints without formal investigations wherever practicable; (d) To submit regular reports to the Standards Committee on the exercise of this delegated authority under (a), (b) and (c) above;

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Standards Committee (Minute 21 – 13.12.12)	MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)	<p>(e) To refer decisions on whether to investigate any complaint to the Standards Committee, if it is considered that this is appropriate;</p> <p>(f) To close any complaint where an investigation finds no breach of the Code of Conduct, subject to the report and the findings from the investigation being provided to the subject councillor, the independent person and to the Standards Committee;</p> <p>(g) To seek local resolution of any complaint where an investigation finds evidence of a failure to comply subject to the following:</p> <ul style="list-style-type: none"> (i) consultation with the independent person and the complainant; (ii) a summary report being made to the Standards Committee on the action taken; <p>(h) To refer any investigation report where local resolution is not possible to a hearing Sub-Committee of the Standards Committee for consideration;</p> <p>(i) To prepare, maintain and publish registers of members' interests in respect of this Council and all Parish and Town Councils in the District and to make these available for public inspection at the Civic Offices, Epping, on the District Council's website and (where appropriate) on the websites of parish and town councils; and</p> <p>(j) To determine applications for dispensations from the effect of Section 31(4) of the Localism Act 2011 in the following categories: Section 33(2)(a) (Quorum) Section 33(2)(b) (Political Balance) Section 33(2)(d) (Executive Business)</p>
CL17	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	<p>COUNCIL MEETINGS – NOTICES AS TO ADDRESSES FOR DELIVERY OF SUMMONS</p> <p>To act as Proper Officer in accordance with Schedule 12 (paragraph 4(3) of the Local Government Act 1972 as to the receipt of these notices.</p>
CL18	Council (Minute 127 – 23.4.13)	MONITORING OFFICER	<p>CONSTITUTION – MINOR AMENDMENTS</p> <p>To make amendments to the Constitution to reflect the following:</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			(a) statutory changes over which the Council has no control; and (b) minor drafting and clerical errors.
CL19	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCIL MEETINGS – SIGNATURE OF SUMMONS TO ATTEND To act as Proper Officer in accordance with Schedule 12 (paragraph 4(2)(b) of the Local Government Act 1972 as to the signing of the summons.
CL20	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE DIRECTOR OF COMMUNITIES / DIRECTOR OF FINANCE / DIRECTOR OF GOVERNANCE / DIRECTOR OF NEIGHBOURHOODS	COUNCILLORS – ACCEPTANCE OF OFFICE (a) To act as Proper Officer under Section 83(1)-(4) of the Local Government Act 1972 in respect of the witness and receipt of declarations and acceptances of office by councillors; and (b) That in the absence through unavailability, absence, incapacity or vacancy to undertake the functions specified in the delegation.
CL21	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCILLORS – RESIGNATION FROM OFFICE To act as Proper Officer for the purposes of Section 84 of the Local Government Act 1972, in respect of the receipt of notices of resignation from office by councillors.
CL22	Council (Minute 49 – 18.12.01)	DIRECTOR OF GOVERNANCE	COUNCILLORS – SUBSTITUTES To receive notices from Group Leaders regarding the appointment of substitute members, subject to certain conditions.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL23	Council (Minute 100(7) – 18.4.2000)	DIRECTOR OF GOVERNANCE	COURT, TRIBUNAL, INQUIRY PROCEEDINGS – ENGAGEMENT OF STAFF AND ADVICE To appoint appropriate staff and/or external Solicitors and/or Counsel to appear for, conduct and settle proceedings on behalf of the Council in Courts, tribunals, inquiries and other similar venues.
CL24	Council (Minute 78(4) – 17.2.85)	DIRECTOR OF GOVERNANCE	DATA PROTECTION ACT 1984 To act as Proper Officer for the purposes of the Data Protection Act 1984 for the receipt of notices.
CL25	Finance Sub-Committee (Minute 67(iii) – 6.3.74)	DIRECTOR OF RESOURCES	DIRECT DEBITING To execute a direct debiting indemnity on behalf of the Council.
CL26	Policy & Co-ordinating Committee (Minute 44 – 29.11.83)	SERVICE DIRECTORS/ DIRECTOR OF RESOURCES	DISTURBANCE COMPENSATION To grant disturbance allowances following home loss in appropriate cases and subject to the budgetary provision of the Council, in any one year, not being exceeded and in accordance with the Land Compensation Acts.
CL27	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – AUTHENTICATION To act as Proper Officer for the purposes of Section 234(1) – (2) of the Local Government Act 1972 for the purposes of authentication of documents.
CL28	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – CERTIFICATION OF PHOTOGRAPHIC COPIES To act as Proper Officer for the purposes of Section 229(5) of the Local Government Act 1972 for the purposes of certifying photographic copies of documents.
CL29	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – DEPOSIT To act as Proper Officer for the purposes of Section 225(1) of the Local Government Act

Page 42

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			1972 in relation to the deposit of documents.
CL30	Standing Order A32 Council (Minute 24(1) – 9.7.91)	CHIEF EXECUTIVE (or in his absence the DEPUTY CHIEF EXECUTIVE)	<p>DOCUMENTS – INSPECTION AND SUPPLY FOR COUNCILLORS</p> <p>To determine requests by members of the Council to inspect or to be provided with copies of Council documents.</p>
CL31	Council Minute – 19.4.05	<p>G CHIPP CHIEF EXECUTIVE</p> <p>(Deputy registration officer : TBD)</p>	<p>ELECTORAL MATTERS</p> <p>(a) Registration Officer under section 8(2)(a) of the Representation of the People Act (RPA) 1983 and</p> <p>(i) through Section 28 of the RPA, Acting Returning Officer for the purposes of UK Parliamentary elections; and</p> <p>(ii) through Section 6 of the European Elections Act 2002, Local Returning Officer for European Parliamentary elections.</p> <p>(Duties: responsibility for the electoral register, for EU parliamentary elections (under the direction of the Regional Returning Officer) and for UK Parliamentary elections.)</p> <p>(b) Counting Officer for the purposes of Section 61E of the Town & Country Planning Act 1990 and the Localism Act 2011 (Section 116)</p> <p>(Duties: responsibility for the local referendums on Neighbourhood Plans)</p> <p>(c) District Returning Officer for the Epping Forest District under Section 35(1) of the RPA 1983</p> <p>(Duties: responsibility for the conduct of District Council/Parish Council elections and, through Sections 52ZQ and 113 of Local Government Finance Act 1992, Proper Officer for local referendums in connection with Council Tax precepts.)</p> <p>(d) Proper Officer under Sections 34, 35 and 105(2) of the Local Government Act 2000</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
Page 44			<p>(Duties: responsibility for petitions and referendums in connection with the Executive Constitution of the Council).</p> <p>(e) Nominated Deputy County Returning Officer under Section 35(1) of the RPA 1983</p> <p>(Duties: responsibility for County Council elections as appointed by and under the direction of the County Returning Officer.)</p> <p>continued</p> <p>(f) Nominated Local Returning Officer under Section 54 of the Police & Social Responsibility Act 2011</p> <p>(Duties: conduct of elections for Police & Crime Commissioners under the direction of County Returning Officer.)</p> <p>(g) Nominated Local Counting Officer for the purposes of Section 128 of the Political Parties, Elections and Referendums Act 2000.</p> <p>(Duties: conduct of national referendums under the direction of the Chief Counting Officer (i e the Chief Executive of the Electoral Commission).</p>
CL32	Council Minute 75(8) – 14.12.04	G CHIPP RETURNING OFFICER (With effect from 15 June 2014)	<p>ELECTIONS – DISCRETIONARY FEES AND CHARGES</p> <p>To determine annually the scale of discretionary fees and charges, for which there is no statutory amount, by allowing for inflation and rounding up to the nearest whole number.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL33	Council Minute 115 – 19.4.05	G CHIPP RETURNING OFFICER (With effect from 15 June 2014)	ELECTIONS – FEES AND EXPENSES To determine the scale of fees and expenses payable by the Returning Officer at elections of District and Parish Councils, adjusting the schedule for inflation and rounding up to the nearest whole number.
CL34	Policy & Co-ordinating Committee (Minute 101 – 1.12.98)	DIRECTOR OF GOVERNANCE	ELECTORAL REGISTRATION – PROSECUTIONS To institute and pursue proceedings in relation to electoral registration offences.
CL35	Council (Minute 71 – 17.12.02)	DIRECTOR OF GOVERNANCE (or, in the absence of the office holder, a nominated deputy)	ENFORCEMENT ACTION 1. Authority to prosecute the unauthorised display of advertisements, unauthorised works to a listed building or in a conservation area breach of Tree Preservation or Hedgerow Regulations, and non-compliance where enforcement action has previously been authorised. 2. Authority to take the appropriate enforcement action, including serving an injunction where the Director of Governance, or his nominee, considers the circumstances to be urgent.
CL36	Cabinet (Minute 138 – 25.11.02) Council (Minute 29 - 28.6.11)	PERFORMANCE IMPROVEMENT MANAGER ASSISTANT DIRECTOR (GOVERNANCE & PERFORMANCE MANAGEMENT) SERVICE DIRECTORS	FREEDOM OF INFORMATION ACT 2001/RE-USE OF PUBLIC SECTOR INFORMATION To be responsible for co-ordinating compliancy with the requirements of the Freedom of Information Act throughout the Council, including providing guidance and promoting compliance with the Act so as to assist with the easy, appropriate and timely retrieval of information. To be responsible for establishing and operating procedures for their service areas for managing requests for information under the Act and ensuring that requests are dealt with in accordance with statutory deadlines.
CL37	Council	DIRECTOR OF	GAMBLING ACT 2005 – LICENSING FUNCTIONS

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	(Minute 19.12.06)	NEIGHBOURHOODS	See Appendix A.
CL38	District Development Control Committee (Minute 49 (3) - 26.6.13)	DIRECTOR OF COMMUNITIES	GROWTH AND INFRASTRUCTURE ACT 2013 To determine applications received under Section 7 to modify, remove or discharge affordable housing obligations, subject to: (a) Prior consultation with the Director of Governance; the Chairman (or in his/her absence, the Vice-Chairman) of the relevant Area Plans Sub-Committee and local ward members; and (b) Details of the application and the resultant Determination being reported in the following issue of the Council Bulletin.
CL39	Development Committee (Minute 31 – 25.8.92)	DIRECTOR OF GOVERNANCE	HAZARDOUS SUBSTANCES To determine applications for hazardous substances consent under the Planning (Hazardous Substances) Regulations 1992 except where there are objections from interested parties, which shall be determined by the Plans Sub-Committees.
CL40	Council (Minute 12(11)(a) – 27.2.90)	CHIEF EXECUTIVE (or in his absence the DEPUTY CHIEF EXECUTIVE)	HEAD OF PAID SERVICE In accordance with Section 4 of the Local Government and Housing Act 1989 designated as Head of the Authority's Paid Service.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL41	Council (Minute 54(4) – 20.12.77) Personnel Sub-Committee (Minute 49(6) – 4.10.88)	CHIEF EXECUTIVE SERVICE DIRECTORS ALL MANAGERS OR SUPERVISORS RESPONSIBLE FOR ONE OR MORE STAFF	HEALTH AND SAFETY AT WORK – IMPLEMENTATION (a) To be responsible on behalf of the Council for the general policy for the safety, health and welfare of employees as set out in the Council’s statement of policy; (b) To be directly responsible for the implementation in each Directorate of the Council’s general policy for safety, health and welfare; (c) To ensure that adequate budgetary provision is made to meet the cost of any safety programme; and (d) To be responsible in the work area under their control for: (i) implementation of general policy of health, safety and welfare; (ii) annual review of work areas to assess training needs and priorities for improvements; (iii) identification of hazards for employees and the public; (iv) consultation with employee representatives on safety matters; and (v) setting an example in safe behaviour.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL42	Council (Minute 52(c) – 12.12.00)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	<p>HIGH COURT ACTION</p> <p>To instigate High Court action in the following circumstances:</p> <p>(a) appeals lodged in accordance with Sections 288 and 289 of the Town and Country Planning Act 1990 (as amended) which shall be authorised by the Director of Governance;</p> <p>(b) applications for High Court injunctions to secure planning enforcement under the Town and Country Planning Act 1990 (as amended) which shall be authorised by the District Development Control Committee or an Area Plans Sub-Committee, or to deal with breaches of Abatement Notices under the Environment Act 1995 or Amendments thereof which shall be authorised by the Cabinet;</p> <p>(c) any applications for High Court injunctions where immediate emergency action is required to prevent serious distress to public safety or residential amenity which shall be authorised by the Director of Governance in consultation with the appropriate Portfolio Holder.</p> <p>(d) any other category of High Court action which shall not admit of delay resulting from reference to the full Council – which shall be authorised by the Cabinet or any appropriate committee or subcommittee; and</p> <p>(e) to make applications in consultation with the appropriate members under High Court injunctions where immediate emergency action is required to prevent serious distress to public safety or residential amenity.</p>
	Council (Minute 100(5) – 18.4.00)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	To defend High Court Proceedings instituted against the Council (subject to reporting on action taken to the next Cabinet meeting).
CL43	Council (Minute 34 – 22.7.97)	DIRECTOR OF GOVERNANCE	<p>INSOLVENCY – ENFORCEMENT OF DEBTS</p> <p>To issue statutory demands pursuant to Section 268(1)(a) of the Insolvency Act 1986.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			To take steps to enforce a debt following the commencement of bankruptcy proceedings, subject to action taken being reported to the next appropriate Cabinet meeting.
CL44	Council (Minute 100(6) – 18.4.2000)	DIRECTOR OF RESOURCES (or nominated Deputy)	INSURANCE – INSTITUTION OF LEGAL PROCEEDINGS To institute, defend, appeal, withdraw or agree a compromise in connection with any legal proceedings concerning the Council's insurance matters, subject to reporting on any significant issues to the next appropriate Cabinet meeting.
CL45	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	LAND CHARGES To act as proper officer to the Council for the purposes of Section 212(1) and (2) of the Local Government Act 1972 (local registrar of land charges)
CL46	Cabinet (Minute 184 – 10.4.06)	DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (NEIGHBOURHOOD SERVICES) Appropriate Portfolio Holder	LICENSING To authorise suitably qualified officers to exercise those functions relating to licensing set out in the attached list of environmental health legislation as set out in Appendix B, subject to the policies from time to time agreed by the Licensing Committee. To delegate appropriate powers to the Director of Neighbourhoods relating to the management and provision of service set out in the attached list of environmental health legislation as set out in Appendix B.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL47	Licensing Committee (Minute 12 – 15.10.08)	DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (NEIGHBOURHOOD SERVICES) SENIOR LICENSING OFFICER or suitably qualified officer authorised by them	LICENSING – HACKNEY CARRIAGE AND PRIVATE VEHICLE LICENCES To determine Licences in respect of hackney carriage and private hire licensing (as set out in Appendix C) except in those circumstances where under the Council’s policy they stand referred to the Licensing Sub Committee (see Minute 12 opposite).
CL48	Council (Minute 48 – 26.9.13)	DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (NEIGHBOURHOOD SERVICES)	LICENSING – SCRAP METAL DEALERS ACT 2013 To implement Appendix D (Schedule of delegations under the Act) insofar as they relate to matters to be undertaken by officers. To authorise officers to carry out inspections of the sites and vehicles used and conduct investigations and to issue and undertake prosecutions that may arise under the Act.
CL49	Policy & Co-ordinating Committee (Minute 24(2) – 8.10.91)	DIRECTOR OF RESOURCES	LOCAL GOVERNMENT AND HOUSING ACT 1989 – DETERMINATIONS UNDER PART IV To make determinations under the following sections of the Local Government and Housing Act 1989: Section 42(2)(g) – Reimbursable expenditure Sections 50(3)(b) and 60(2) – Usable capital receipts

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL50	Council (Minute 24(1)(2) – 9.7.91)	DIRECTOR OF RESOURCES	LOCAL GOVERNMENT AND HOUSING ACT 1989 – PROPER OFFICER DESIGNATIONS Proper Officer designations made for the purposes of the Sections of the Local Government and Housing Act 1989 indicated: Section and Purpose Section 2 (preparation and maintenance of lists of politically restricted posts). Section 37 (deposit and preparation of statements as to the provision of financial assistance).
CL51	Council (Minute 34 – 22.7.97) (Minute 168 - 20.4.10)	DIRECTOR OF GOVERNANCE ASSISTANT DIRECTOR (LEGAL SERVICES)	MAGISTRATES’ AND COUNTY COURTS – DEFENCE AND PURSUIT OF PROCEEDINGS To institute, defend, pursue and settle proceedings on behalf of the Council and to appear on the Council’s behalf, in any proceedings before the Magistrates’ and County Courts.
	Personnel Sub-Committee (Minute 88 – 21.11.89 and 88(b) – 1.12.92)	MR G OAKLEY (MANAGING LEGAL EXECUTIVE)	To appear for the Council in legal proceedings pursuant to Section 223(1) of the Local Government Act 1972 and Section 60(2) of the County Courts Act 1982.
CL52	Council (Minute 10 – 15.5.2001) Council (Minute 70 – 6.11.12)	DIRECTOR OF GOVERNANCE DIRECTOR OF GOVERNANCE	MONITORING OFFICER AND DEPUTY To act as Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989 and Sections 26-37 of the Localism Act 2011 for the purpose of performing the duties imposed by those sections. To be responsible for any Parish or Town Councils which are affiliated for the time being to the Epping Forest Standards Committee under Chapter 7 of the Localism Act.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Council (Minute 10 – 15.5.01)	ASSISTANT DIRECTOR (GOVERNANCE & PERFORMANCE MANAGEMENT)	To act as Deputy Monitoring Officer with the power to act in the absence or during any illness of the Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989.
CL53	Policy and Resources Committee (Minute 3(3) – 11.10.73)	DIRECTOR OF RESOURCES	OFFICERS – RECEIPT OF MONEY DUE To act as Proper Officer for the purposes of Section 115 of the Local Government Act 1972).
CL54	Council (Minute 86 – 15.2.05)	DIRECTOR OF GOVERNANCE	OMBUDSMAN – NOTICES To act as proper officer for the purposes of Section 30(5) of the Local Government Act 1974 (publication of notice on receipt of a report from the Local Ombudsman).
CL55	Council (Minute 87 – 15.2.05)	G CHIPP RETURNING OFFICER (With effect from 15 June 2014)	PARISH POLLS To act as Returning Officer for the purposes of a Parish Poll in the District in accordance with the Parish and Community Meetings (Polls) Rules 1987,
CL56	Personnel Sub-Committee (Minute 139 – 20.3.90)	DIRECTOR OF RESOURCES	POLITICALLY RESTRICTED POSTS (a) To notify all politically restricted postholders of their designations; (b) To incorporate the designation as to politically restricted status in contracts of employment; and (c) To maintain and issue revised lists when necessary and notify the independent Adjudicator.
CL57	Policy and Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	PROTECTED BUILDINGS To act as Proper Officer for the purposes of paragraph 28 of Schedule 16 to the Local Government Act 1972 (receipt and deposit of lists of protected buildings).

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL58	Council (Minute 117 – 20.4.04)	MONITORING OFFICER	REGISTRATION OF INTERESTS – DISTRICT COUNCIL Receipt, custody and public deposit of registration of interests of District Councillors under the Local Government Acts 2000 and 2007 and regulations made thereunder.
CL59	Council (Minute 117 - 20.4.04)	MONITORING OFFICER	REGISTRATION OF INTERESTS – TOWN AND PARISH COUNCILS Receipt, custody and public deposit of registration of interests of Parish and Town Councillors in accordance with the Local Government Acts 2000 and 2007 and regulations made thereunder.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated												
CL60	Council (Minute 23 – 15.5.08) as amended by Council 28 May 2015	<p>DIRECTOR OF GOVERNANCE</p> <p>CHIEF EXECUTIVE</p> <p>ASSISTANT DIRECTOR(GOVERNANCE & PERFORMANCE MANAGEMENT)</p> <p>SENIOR LAWYER</p> <p>EXECUTIVE ASSISTANT (GOVERNANCE)</p>	<p>REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000 – as amended by the Protection of Freedoms Act 2012 -DESIGNATION OF SENIOR RESPONSIBLE OFFICER, AUTHORISING OFFICERS and RIPA COORDINATOR</p> <p>For the purposes of RIPA and regulations or orders made thereunder , the following officers of the Council be appointed to the roles specified, to exercise on behalf of the Council, the power to administer and give initial authorisation of covert surveillance :</p> <table border="1"> <thead> <tr> <th data-bbox="1021 475 1299 507">Role</th> <th data-bbox="1308 475 2181 507">Purpose</th> </tr> </thead> <tbody> <tr> <td data-bbox="1021 544 1299 608">Senior Responsible Officer (SRO)</td> <td data-bbox="1308 576 2181 671">To ensure compliance with the Act and associated Codes of Practice. To liaise with Commissioners and Inspectors and implement any post-inspection actions.</td> </tr> <tr> <td data-bbox="1021 743 1299 775">Authorising Officer</td> <td data-bbox="1308 743 2181 839">To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source, if confidential material is likely to be captured</td> </tr> <tr> <td data-bbox="1021 879 1299 911">Authorising Officer</td> <td data-bbox="1308 879 2181 943">To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source,</td> </tr> <tr> <td data-bbox="1021 1046 1299 1078">Authorising Officer</td> <td data-bbox="1308 1046 2181 1110">To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source,</td> </tr> <tr> <td data-bbox="1021 1150 1299 1182">RIPA Coordinator</td> <td data-bbox="1308 1150 2181 1214">To maintain a central record of refusals, authorisations and cancellations as directed by the SRO.</td> </tr> </tbody> </table>	Role	Purpose	Senior Responsible Officer (SRO)	To ensure compliance with the Act and associated Codes of Practice. To liaise with Commissioners and Inspectors and implement any post-inspection actions.	Authorising Officer	To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source, if confidential material is likely to be captured	Authorising Officer	To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source,	Authorising Officer	To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source,	RIPA Coordinator	To maintain a central record of refusals, authorisations and cancellations as directed by the SRO.
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	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL61	Policy & Co-ordinating Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	RESOLUTIONS – CERTIFICATION To act as Proper Officer for purposes of paragraph 25 of Schedule 4 to the Local Government Act 1972 (certification of resolutions).
CL62	Council (Minute 29 – 28.6.11) Council (Minute 29 – 28.6.11)	DIRECTOR OF GOVERNANCE DIRECTOR OF NEIGHBOURHOODS	RE-USE OF PUBLIC SECTOR INFORMATION REGULATIONS 2005 To be responsible in accordance with the Council's policy for administering requests for information under the Re-use of Public Sector Information Regulations 2005, including the level of fees and charges to be made if information supplied is to be re-used. To be responsible for administering requests under the 2005 Regulations in respect of use of CCTV data, taking account of the Council's policy and charging arrangements.
CL63	Personnel Sub-Committee (Minute 2 – 4.10.73) (As amended by Personnel Sub-Committee Minute 169 – 26.9.78)	CHIEF EXECUTIVE SERVICE DIRECTORS	STAFF – APPOINTMENTS PROCEDURE To make all external appointments to each service in respect of posts graded below Assistant Director level except appointments where member involvement is considered desirable.
CL64	Policy & Co-ordinating Committee (Minute 59(b) – 8.2.94)	CHIEF EXECUTIVE SERVICE DIRECTORS	STAFF – MISCELLANEOUS DELEGATIONS To determine staff issues in terms of grading, structure and local conditions of service (including car leases, posts requiring an increase in hours of up to 1 or 2 per week, creation of junior posts in direct substitution of more senior ones, restructurings which reduce the number of posts and costs within a section, minor re-ranging subject to prior consultation with staff representatives, no increase in budget, maintenance of a register.
CL65	Council (Minute 90(5) – 23.2.82)	MANAGEMENT BOARD (in consultation with appropriate Service Director and the Portfolio Holder with responsibility for Finance)	STAFF – RETIREMENT To offer enhanced early retirement and redundancy under the terms of the superannuation scheme or gratuity scheme to appropriate staff where the resultant vacated posts can be made available for redeployment of otherwise redundant employees.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL66	Development Committee (Minute 73 – 2.3.93) (Minute 108 – 6.3.01)	DIRECTOR OF GOVERNANCE	TELECOMMUNICATIONS EQUIPMENT To determine, after prior consultation with ward councillors, whether the prior approval of the Council should be required to the siting and appearance of notified development under the Town and Country Planning (General Permitted Development) Order 1995. To exercise the above-mentioned authority in consultation with the Chairman of the appropriate Committee or Sub-Committee and all ward councillors in respect of those proposals submitted in accordance with the prior approvals procedure where the Director of Governance consider that an objection should not be raised to the development but where opposition has been received.
CL67	Resource Committee (Minute 40 – 28.9.93)	DIRECTOR OF RESOURCES DIRECTOR OF RESOURCES (or staff delegated to act)	TREASURY MANAGEMENT (a) To have control of the aggregated monies under Section 151 of the LGA 1972. (b) To be responsible for all executive decisions on borrowing, investment or financing under Section 151 subject to a requirement to act in accordance with the CIPFA Code for Local Authorities.
X	NIL		
Y	NIL		
Z	NIL		

**APPENDIX A
(Ref CL37)**

**GAMBLING ACT 2005 – TABLE OF DELEGATIONS OF LICENSING FUNCTIONS
DIRECTOR OF NEIGHBOURHOODS**

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	ALL OFFICERS
Three-year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting – when appropriate			X (to be approved by Executive Councillor)
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

DIRECTOR OF NEIGHBOURHOODS

LICENSING

Charities Act 1992

Part III (Street Collections)

Local Government (Miscellaneous Provisions) Act 1976

S16 (Power to obtain particulars of Persons interested in Land)

Local Government (Miscellaneous Provisions) Act 1982

Sections 14, 15, 16 and 17 (Acupuncture, Tattooing, Ear Piercing and Electrolysis)

Section 37 (Temporary Markets)

Schedule 3 Paragraphs 7, 8, 9, 10, 13, 15 to 19 and 25 (Control of Sex Establishments)

Schedule 4 paragraphs 7, 9 and 10 (Street Trading)

Hackney Carriage and Private Hire Licences

Town and Police Clauses Act 1847 (Sections 37, 41, 42, 43, 45, 46, 47, 50, 68)
(except temporary road closures which are the subject of objections which shall be dealt with by the Licensing Sub-Committee)

Town and Police Clauses Act 1889 (Sections 4, 5 and 6)

Local Government (Miscellaneous Provisions) Act 1976 (Part II)

**APPENDIX C
(CL46)**

DIRECTOR OF NEIGHBOURHOODS

LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Decision to object when local authority is acting as a Responsible Authority			All cases
Determination of an objection to a temporary event notice		All cases	
Determination of application to vary licence at community premises to include alternative licence conditions		If a police objection	All other cases

Matter to be dealt with	Full Committee	Sub Committee	Officers
Decision whether to consult other responsible authorities on minor variation			All cases
Determination of minor variation			All cases
All policy matters except the formulation of the statement of licensing policy	All cases		

**APPENDIX D
(CL48)**

DIRECTOR OF NEIGHBOURHOODS

SCRAP METAL DEALERS ACT 2013 - DELEGATION OF POWERS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Licensing policy	All cases		
Fee Setting - when appropriate	All fees		
Application for or renewal of a Site or Collector's licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
To issue a closure notice on non-residential premises being used as a scrap metal dealer's site		All cases	All cases
Application to the Magistrates Court for a closure order		All cases	All cases
Termination of a closure order		All cases	All cases
Application to the Magistrates Court to discharge a closure order.		All cases	All cases
Revocation of a licence		All cases	All cases
Consideration of and imposition of conditions		All cases	All cases

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**PLANNING SERVICES – DELEGATION OF
COUNCIL FUNCTIONS**

Schedule 1 – Development Management – Director of Governance

Schedule 2 – Trees, Conservation and Related Functions – Director of Governance

DEVELOPMENT CONTROL FUNCTIONS

Function	Principal Relevant Legislation (*see note)	Relevant Details	Exceptions
<p>Care of the Environment</p> <p>District Development Control Committee (Minute 30 – 7.12.10)</p>	<p>Town and Country Planning (Environmental Impact Assessments) (England and Wales) Regulations 1999</p> <p>Planning (Hazardous Substances) Act 1990, Section 36, 36A and 36B</p> <p>Planning (Hazardous Substances) Regulations 1992</p>	<p>To determine the need for and scope of environmental impact assessments required under the Town and Country Planning Acts.</p> <p>To determine applications for hazardous substances consent except those where there are objections from interested parties, which shall be determined by the relevant Area Planning Sub-Committee.</p> <p>To use necessary powers of entry to the land in relation to the above and duly authorise officers and agents engaged by the Council to use the relevant powers of entry as necessary.</p>	No
<p>Development Control</p> <p>District Development Control Committee (Minute 30 – 7.2.10)</p> <p>Council Minute 29 – 28.6.11</p>	<p>Town and Country Planning Act 1990 - Section 70, 70(A), 191-3, 324, 325</p> <p>Planning and Compensation Act 1991, Section 10</p> <p>Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Part 1, Reg. 16-19</p> <p>Town and Country Planning (Development Management Procedure) (England) Order 2010, Part 6, Article 35</p>	<p>1. Subject to Appendix A below, which are matters to be determined by Committee, to determine or decline to determine any:</p> <p>(a) planning applications;</p> <p>(b) applications for approval of reserved matters;</p> <p>(c) applications arising from any condition imposed on any consent, permission order or notice;</p> <p>(d) advertisement consents; and</p> <p>(e) listed buildings.</p> <p>2. To agree the precise wording of additional/revised conditions to be attached to planning permissions, at members' request, and discharge of conditions.</p>	Yes (See Appendix A to this Schedule)

Function	Principal Relevant Legislation (*see note)	Relevant Details	Exceptions
	<p>Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 3, Reg. 14-15 Town and Country Planning General Permitted Development Order 1995, Part 6 and Part 31 of Schedule 2 As amended by SI2008 No. 2362 and 5</p> <p>Town and Country Planning (Development Management Procedure) (Amendment) (England) Order 2013</p>	<p>3. To determine whether a 28 day prior approval application of the method of any proposed demolition and any proposed site restoration is required and to give such approval where required.</p> <p>4. In relation to prior approval of telecommunications equipment, to determine, after prior consultation with ward Councillors in cases where a valid planning objection has been made, whether the prior approval of the Council should be required to the siting and appearance of notified development.</p> <p>5. In relation to agricultural development, to determine whether to require the formal submission of details.</p> <p>6. Subject to Appendix A(g), to determine applications in relation to certificates of lawful use and development.</p> <p>7. To use necessary powers of entry to the land in relation to the above and duly authorise officers and agents engaged by the Council to use the relevant powers of entry as necessary.</p> <p>8. To determine or decline to determine any non-material amendments.</p> <p>9. Subject to consultation with Ward Members in the cases where a valid objection has been made and are minded to grant, to determine applications for prior approval.</p> <p>Note: The categories of Prior Approval in operation at any particular time can be confirmed by the Assistant Director (Development Management).</p>	

Function	Principal Relevant Legislation (*see note)	Relevant Details	Exceptions
Enforcement District Development Control Committee (Minute 30 – 7.12.10)	<p>Town and Country Planning Act 1990 (as amended), Part 7, section 171-190, 196 A, B, C, 198-200 214(A)-(D), 215-219, 220 or 221, 224, 225, 325 and 330</p> <p>Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 5, sections 27 and 30</p> <p>Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 4, sections 38, 88, 88A and 88B</p> <p>Local Government (Miscellaneous Provisions) Act 1982 (Section 37)</p>	<p>Authority for Director of Governance to:</p> <ol style="list-style-type: none"> 1. Issue Stop Notices, Temporary Stop Notices, Enforcement Notices, Breach of Conditions Notices, Building Preservation Notices, Listed Buildings Enforcement Notices, Planning Contravention Notices, Conservation Area Notices, Discontinuance Notices in respect of advertisements and Section 215-219 Notices for all breaches of planning legislation, in accordance with the Council's adopted enforcement policy. 2. Prosecute the unauthorised display of advertisements, unauthorised works to a listed building, and non-compliance where enforcement action has previously been authorised. 3. Take appropriate enforcement action, including serving an injunction where the Director of Governance or their nominee, having regard to the evidence considers the circumstances to require urgent action. 4. Investigate if a temporary market has been held in breach of Section 37 of the 1982 Act. 5. Vary the requirements for compliance with notices already authorised, including altering the period required for compliance, service of further notices and withdrawal of notices. 6. Determine when action is not expedient in relation to breaches of control considered inconsequential or insignificant. 7. To use necessary powers of entry to the land in relation to the above and duly authorise officers and agents engaged by the Council to use the relevant powers of entry as necessary. 	
	<p>Town and Country Planning Act 1990 (Section 178) (Council Minute 126 – 23.4.13)</p>	<ol style="list-style-type: none"> 8. To authorise direct action (or re-charge the cost of that action) in pursuit of a valid enforcement notice under Section 178. 	<p>Subject to budget provision being available and to local District Councillors being notified</p>

APPENDIX A: MATTERS TO BE DETERMINED BY THE RELEVANT COMMITTEE

- (a) Applications contrary to the provisions of an approved draft Development Plan or Development Plan, and which are recommended for approval;
- (b) Applications contrary to other approved policies of the Council, and which are recommended for approval;
- (c) Applications for major commercial and other developments, (e.g. developments of significant scale and/or of wide concern) and which are recommended for approval;
- (d) Applications for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and which are recommended for approval);
- (e) The Council's own applications on its land or property which are for disposal;
- (f) Those applications recommended for approval where there are more than two expressions of objections received, material to the planning merits of the proposal to be approved, apart from approvals in respect of householder type developments, telecommunication masts, shop fronts and vehicular crossovers and "other" category developments (changes of use, advertisements, listed building consents), where more than four expressions of objections material to the planning merits of the proposal to be approved are received;
- (g) Applications including certificates of lawfulness in respect of existing use and development, recommended for approval contrary to an objection from a local council which are material to the planning merits of the proposal;
- (h) Applications referred by a District Councillor, whose own ward must be within the remit of the relevant Area Plans Sub-Committee and who has firstly notified the relevant Ward Councillors in advance, so long as the referral has been requested in writing to Officers within 4 weeks of that applications notification in the weekly list;
- (i) Applications where the recommendation conflicts with a previous resolution of a Committee;
- (j) Applications submitted by or on behalf of a Councillor of the Authority (and/or spouse/partner) or on behalf of a member of staff of Development Control Division of the Governance Directorate and the Forward Planning and Economic Development Division of the Neighbourhoods Directorate (and/or spouse/partner) and also in those cases where a councillor is an objector in a purely personal capacity;
- (k) Any other application which the Director of Governance considers it expedient or appropriate to present to committee for decision (e.g. those raising issues not covered by existing policies, or of significant public interest, or those with a significant impact on the environment);
- (l) An application which would otherwise be refused under delegated powers by the Director of Governance but where there is support from the relevant local council and no other overriding planning consideration necessitates refusal.

TREES, CONSERVATION AND RELATED FUNCTIONS

Function	Relevant Legislation	Relevant Details	Exceptions
Buildings	Planning (Listed Buildings and Conservation Areas) Act 1990 Section: 3 (1-8)	To serve Building Preservation Notices in urgent cases, subject to report to and review by the next meeting of District Development Control Committee. To obtain and exercise powers of entry to undertake surveys in connection with: (1) Statutory Plans (2) Applications for Planning Permission	Yes
Dangerous trees on private land	Local Government (Miscellaneous Provisions) Act 1976 Sections: 23 and 24	Discretionary power to take action to make safe trees on private land, including to: (1) Obtain and use necessary Powers of Entry to the land; (2) Serve relevant notices; (3) Respond to appeals; (4) Undertake works directly where necessary; and (5) Recover expenses.	No
Countryside hedgerows	The Hedgerow Regulations 1997 Sections: 5 to 15 incl.	The responsibility to: (1) Regulate the removal of certain hedgerows; (2) Issue relevant notices, including to require hedgerow replacement; (3) Respond to appeals; (4) Take necessary enforcement or legal action;	No

Function	Relevant Legislation	Relevant Details	Exceptions
		<p>(5) Obtain and use necessary powers of entry to the land including exercise of rights of entry under warrant;</p> <p>(6) Surveying land in connection with any hedgerow removal notice;</p> <p>(7) Ascertaining whether any offences have been committed under Regulation 7; and</p> <p>(8) Determination of whether a notice should be served under Regulation 8.</p>	
High Hedges	Anti-social Behaviour Act 2003 (Part 8) Sections: 68, 69, 70, 74, 75, 77, 79 and 80.	<p>The responsibility to:</p> <p>(1) Deal with complaints in relation to the height of domestic hedgerows;</p> <p>(2) Issue, withdraw or relax the requirements or relevant notices;</p> <p>(3) Serve relevant documents regarding notifications;</p> <p>(4) Notify interested parties;</p> <p>(5) Respond to appeals;</p> <p>(6) Take relevant legal or enforcement action, including undertaking works directly and recovering expenses; and</p> <p>(7) Obtain and use powers of entry necessary in relation to (1), (2), (3), (5) and (6).</p>	No
Protection of trees	Town and County Planning Act 1990 (as amended) Part VIII Sections: 197, 198, 199, 201, 203, 205, 206, 207, 208, 209, 210, 211, 214, 214A, B, C&D, 324, 325	<p>The duty and responsibility to:</p> <p>(1) Take all necessary measures to make Tree Preservation Orders where trees are at risk, and are of significant existing or potential amenity value, or where they are of wider or strategic importance, subject to publication of the details in the Council Bulletin;</p>	No

Function	Relevant Legislation	Relevant Details	Exceptions
		<p>(2) Amend, confirm, decide not to confirm or revoke such orders (i.e. TPOs);</p> <p>(3) Determine applications for works to preserved trees except as set out below:</p> <p>(i) applications recommended for approval where more than two expressions of objection material to the planning merits of the proposal have been received;</p> <p>(ii) applications recommended for approval contrary to an objection from a local council which are material to the planning merits of the proposal;</p> <p>(iii) applications which a Councillor representing a ward within the relevant Area Plans Sub-Committee area requests in writing within four weeks of notification in the Council Bulletin should be referred to the appropriate Sub-Committee provided that the member has notified the Ward Councillor in advance; and</p> <p>(iv) any application which the Director of Governance considers is expedient or appropriate to present to committee for decision (e.g. those raising issues of subsidence, claims for compensation etc).</p> <p>(4) Take any necessary action in respect of claims for compensation;</p> <p>(5) Take action to ensure replacement planting where appropriate, by serving relevant notices, or by undertaking such planting directly and reclaiming the costs, and to publish any decision not to require replacement planting in the Council Bulletin;</p> <p>(6) Respond to appeals;</p> <p>(7) Take legal action in aspect of breaches of Part VIII of the Act where expedient, in conjunction with the Director of Governance, including injunctive action and recovery of costs;</p>	

Function	Relevant Legislation	Relevant Details	Exceptions
		<p>(8) Take appropriate action in respect of notification of works to trees in Conservation Areas, including the issue of the Tree Preservation Orders as necessary; and</p> <p>(9) Authorise all expedient measures to gain entry to land in respect of the execution of any of the above, including to:</p> <p>(i) issue a warrant if admission has been refused or if a refusal is reasonably anticipated or if the case is urgent;</p> <p>(ii) to take samples of trees or soil; and</p> <p>(iii) for the authorised person(s) to take with them such other persons as may be necessary.</p>	

- Note: The authorities to undertake the stated functions, as set under the relevant sections shall be taken to be automatically updated to take into account changes, modifications and updating as they occur in the relevant legislation, subject to no new authorities being created. All references are to the legislation as currently amended.

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Decision by Portfolio Holder



Report reference: LDR-006-2014/15

Date of report: 14 May 2015

**Epping Forest
District Council**

Portfolio: Leader

Author: Simon Hill (Ext 4249)

Democratic Services: R Perrin

Subject: Delegated Executive Functions

Decision:

(1) To approve the amendments to the Executive Delegation as set out in the appendix to this decision;

(2) For all of these amendments to be included in the Council's Constitution.

ADVISORY NOTICE: <i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest. A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/do not approve (delete as appropriate) the above decision:	
Comments/further action required:	
Signed:	Date:
<i>Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:</i>	<i>Dispensation granted by Standards Committee: Yes/No or n/a</i>

**After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY**

Reason for decision:

The approval of delegations is the responsibility of the Leader of Council and the changes which are set out in the appendices may now be cleared for inclusion in the Council's Constitution.

Legal and Governance Implications:

Local Government Act 2000
Local Government Act 2007
Localism Act 2011

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PART ONE

EXECUTIVE FUNCTIONS – DELEGATION

BY THE LEADER OF COUNCIL

EXECUTIVE FUNCTIONS – DELEGATION BY THE LEADER OF COUNCIL

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX1	Finance Sub-Committee (Minute 398 - 31.1.80)	DIRECTOR OF RESOURCES	AGENDA AND MINUTES - CHARGES TO SUBSCRIBERS To approve charges.
EX2	Housing Committee (Minute 74 – 4.3.92)	DIRECTOR OF COMMUNITIES	AGRICULTURAL DWELLINGS To accept applications for rehousing and offer suitable alternative accommodation where the Agricultural Dwelling House Advisory Committee advises that the property is required for occupation by an agricultural employee in the interest of efficient agriculture.
EX3	Environmental Health and Control Committee (Minute 10 – 10.5.78)	HEALTH PROTECTION AGENCY (HPA) (Any Consultant Staff Member)	AIRCRAFT Proper Officer for the purposes of the Public Health (Aircraft) Regulations 1970.
EX4	Cabinet (Minute 142 – 14.3.05)	DIRECTOR OF COMMUNITIES (or in his absence ASSISTANT DIRECTOR COMMUNITY SERVICES) Ditto Ditto	ANTI SOCIAL BEHAVIOUR ACT 2003 <u>Part 1 (Premises Where Drugs Used Unlawfully)</u> Authority to respond to Police Consultations after discussion with Ward Councillors <u>Part 4 (Dispersal of Groups)</u> Authority to discuss proposals of the Police for dispersal orders with ward members, County Councillors and Town or Parish Councils Authority to consent to the making of Dispersal Orders after considering the results of discussions and after consulting the relevant portfolio holder <u>Part VI (Environment)</u> Authority for making of Closure Orders under Section 40. Authority for notice of cancellation of Closure Orders under Section 41.

Page 76

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Cabinet (Minute 10 – 6.6.05)	Ditto	To respond to formal consultation procedures in connection with the making of Anti Social Behaviour Orders on behalf of the Council. To issue certificates of consultation under the Act on behalf of the Council.
EX5	Cabinet (Minute 14(4) – 6.10.14)	DIRECTOR OF COMMUNITIES	APPROPRIATIONS OF LAND (a) To seek the consent of the Secretary of State for Communities and Local Government, pursuant to Section 19 of the Housing Act 1985, to appropriate land held for housing purposes and identified for Council housebuilding for planning purposes; and (b) Subject to the receipt of such consent, to advertise the Council's intention to make the appropriation in accordance with the provisions of Section 122(A) of the 1972 Act.
EX6	Development Committee (Minute 19 – 30.5.2000)	DIRECTOR OF GOVERNANCE DIRECTOR OF NEIGHBOURHOODS	BUILDING ACT 1984 – SECTION 95 AUTHORISATION To authorise designated postholders within the Governance and Neighbourhoods Directorates to exercise powers under Section 95 of the Building Act 1984 to enter premises in connection with the enforcement of the Building Regulations.
EX7	Development Committee (Minute 23(1) – 6.2.74) Council Minute (Minute 24(1) - 9.7.91)	DIRECTOR OF GOVERNANCE (or in her absence ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT)	BUILDING REGULATIONS To determine applications under the Building Regulations and associated legislation, including the Building Act 1984, consistent with the instructions of the Development Committee and subject to submission to that Committee of any contentious applications.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Development Committee (Minute 35(1) – 15.7.99)	(ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT) POST PBC/02 & 03 (PRINCIPAL BUILDING CONTROL SURVEYOR) POSTS PBC/04-9 (SENIOR BUILDING CONTROL SURVEYORS)	BUILDING ACT 1984 To act as Proper Officer for the purposes of Section 78 of the Building Act 1984.
	Development Committee (Minute 35(2) - 15.7.99)	DIRECTOR OF GOVERNANCE ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT	BUILDING ACT 1984 To carry out the following functions under the Building Act 1984: <ul style="list-style-type: none"> (a) Section 34 - serve notices requiring work contravening building regulations to be removed or altered to achieve compliance; (b) Section 77 - approve applications to a Magistrates' Court for an order requiring dangerous buildings or structures to be made safe; (c) Section 79 - serve notices where it appears that a building is by reason of ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood; and (d) Section 81 - serve notices specifying certain matters and conditions in relation to the demolition of buildings.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX8	Personnel Sub-Committee (Minute 138 – 20.3.90) and Development Committee	DIRECTOR OF GOVERNANCE	BUILDING CONTROL – VETTING OF APPLICATIONS To enter into working arrangements with other local authorities within East Anglia for the checking of one (Minute 66 - 16.1.90) another's building regulation activities on a consultancy basis, this arrangement to be activated where staffing levels fall below establishment or volume of applications submitted exceeds staffing capacity.
EX9		DIRECTOR OF COMMUNITIES	BUY-BACK OF FORMER COUNCIL HOUSING To decide, in consultation with the Housing Portfolio Holder, whether or not the Council would wish to exercise its pre-exemption rights to purchase former Council properties previously sold under the Right to Buy (RTB), in accordance with the Housing Act (Right of First Refusal) (England) Regulations 2005, subject to a sufficient amount of unallocated "One for One Replacement" RTB Receipts or Section 106 financial contributions of affordable housing being available.
EX10	Transportation Committee (Minute 115 – 26.1.93)	DIRECTOR OF NEIGHBOURHOODS	CAR PARK TARIFFS To determine individual tariffs in off-street Pay and Display Car Parks within agreed policy.
EX11	Personnel Sub-Committee (Minute 79 – 17.11.81)	DIRECTOR OF RESOURCES (after consideration of any comments of the relevant portfolio holder)	CAR PARKS (COUNCIL) To determine applications to use Council office car parks. (See also under "Offices – Use of")
EX12	Policy & Co-ordinating Committee (Minute 44(3) - 29.11.83)	DIRECTOR OF NEIGHBOURHOODS	CAR PARKS (PUBLIC) To approve the use of Council car parks by charitable organisations or for other charitable purposes.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX13	Policy and Co-ordinating Committee (Minute 66(a) - 4.12.90)	DIRECTOR OF NEIGHBOURHOODS	COMMERCIAL TENANCIES - SERVICE OF NOTICES To sign notices and answers to originating applications for new tenancies under Part II of the Landlord and Tenant Act 1954.
EX14	Executive Committee (Minute 449 - 11.3.02)	DIRECTOR OF GOVERNANCE	COMPLAINTS AND COMPLIMENTS PROCEDURE To make payments up to £250 in respect of upheld complaints at Stages 1, 2 and 3 and to make payments above £250 with the consent of the Complaints Panel.
EX15	Council (Minute 74(3) - 20.12.88)	DIRECTOR OF COMMUNITIES DIRECTOR OF NEIGHBOURHOODS	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK INSIDE THE DISTRICT To submit bids for work inside the District, to utilise spare capacity/manpower only.
EX16	Council (Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK OUTSIDE THE DISTRICT To refer to the Management Board and through them to the Cabinet any proposal involving the authorisation of bids for work outside the district but only in the context of agreed policy for shared services.
EX17	Policy and Resources Committee (Minute 347 - 14.2.78)	CHIEF EXECUTIVE SERVICE DIRECTORS	CONFERENCES - ATTENDANCE BY OFFICERS To approve the attendance of officers at annual conferences, taking into account the subject matter of the conference and the budgetary provision made.
EX18	Council (Minute 52 – 12.12.2000)	DIRECTOR OF RESOURCES AND DIRECTOR OF GOVERNANCE (or nominated Deputy)	DEBTS To take steps to enforce a debt following the commencement of bankruptcy proceedings, subject to action being reported to the Cabinet.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX19	Policy & Co-ordinating Committee (Minute 78 - 1.12.81)	DIRECTOR OF RESOURCES	ENERGY MANAGEMENT & CONSERVATION To implement the Council's policy.
EX20	Personnel Sub-Committee (Minute 67 - 24.11.87)	CHIEF EXECUTIVE SERVICE DIRECTORS	EX GRATIA PAYMENTS To consider and approve the making of appropriate ex gratia payments to staff at all levels for temporarily undertaking significant additional duties and responsibilities subject, in the case of emergencies where payments are not covered by the approved salary budget, to a report being made to the Cabinet.
EX21	Leisure Services Committee (Minute 5 - 23.5.91)	DIRECTOR OF NEIGHBOURHOODS	FEES AND CHARGES – LEISURE To approve the level of fees and charges within the parameters outlined within the Leisure Management Contract. To introduce individual pricing charges for Cultural and Community Services generally in line with the current level of inflation, or in certain circumstances at a rate which reflects the true cost of providing the service.
EX22	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant Staff Member) (see also under "Disease Control")	FOOD HYGIENE - ENTRY TO PREMISES To act as registered medical practitioner to the Council under the Public Health (Control of Disease) Act 1984 and thereby authorised to enter any premises, vessel or aircraft for the purpose of regulations made under that section.
EX23	Portfolio Holder Decision HSG-029 – 2009/10	DIRECTOR OF COMMUNITIES	GARAGES To sell isolated garages in accordance with the Council's Policy.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX24	Housing Services Committee (Minute 155 - 12.2.80)	DIRECTOR OF COMMUNITIES	<p>HARDSTANDINGS - COUNCIL HOUSES</p> <p>(a) To approve, subject to satisfactory works to boundary walls, hedges and fences and other necessary works and also Essex County Council being satisfied as to the standard of footpath crossings, applications by tenants to construct car hardstandings in front gardens; and</p> <p>(b) To apply the above policy to hardstandings provided by tenants without permission.</p>
EX25	Council Housebuilding Cabinet Committee (Minute 4 (5) – 10.7.13)	DIRECTOR OF COMMUNITIES	<p>HOMES AND COMMUNITIES AGENCY – SHORT FORM AGREEMENTS</p> <p>That the Director of Communities be authorised to enter into Short Form Agreements with the Homes and Communities Agency for all (Council housing) developments, to enable affordable rents to be charged for the properties built under the Housebuilding Programme, and that the “Provider Representative” named in the Agreements be a senior figure at East Thames Group.</p>


	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX26	Council Housebuilding Cabinet Committee (Minute 5 (3) – 10.7.13)	DIRECTOR OF COMMUNITIES	<p>HOUSEBUILDING PROGRAMME – ALLOCATION OF FUNDING TO SCHEMES</p> <p>That, once the Cabinet Committee has authorised the use and provisional level of subsidy required for individual developments and/or development packages, the Director of Communities be authorised to allocate funding from the sources listed in Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 to individual developments and/or development packages – utilising the most appropriate source of funding for the development(s), having regard to the time limits within which they must be utilised - up to and in excess of the provisional level approved by the Cabinet Committee, once tenders to undertake the works have been received from contractors, subject to:</p> <p>(a) The amount allocated being no more than 15% of the level provisionally approved by the Cabinet Committee;</p> <p>(b) Sufficient funds being available at the time of allocation; and</p> <p>(c) The Cabinet Committee receiving a report to its next meeting on the amount of subsidy allocated, and its source of funding.</p> <p>Note - Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 lists the following sources of funding:</p> <ul style="list-style-type: none"> • Loans from PWLB • Capital receipts from additional RTB sales covered by the Agreement with CLG • Current and future financial contributions for affordable housing from Section 106 Agreements • Capital receipts from the sale of HRA land or building, where the Cabinet has specifically agreed that they should be used to help fund the Council Housebuilding Programme • Grant from the HCA • Any other external funding sources.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX27	Housing Committee (Minute 125-27.1.97)	DIRECTOR OF COMMUNITIES HOUSING OPTIONS MANAGER	HOUSING ACCOMMODATION – ALLOCATION To allocate accommodation in accordance with the Housing Allocations Scheme.
EX28	Housing Committee (Minute 49 – 30.10.91)	DIRECTOR OF COMMUNITIES	HOUSING ACCOMMODATION - DESIGNATION FOR ELDERLY To cancel designations.
EX29	Housing Committee (Minute 41(20) & (21) – 17.9.96)	DIRECTOR OF COMMUNITIES	HOUSING ACCOMMODATION – TENANCIES FOR 'LIVE IN' CARERS To grant requests to provide or extend joint tenancies to 'live in' carers where such requests are considered to be justified.
EX30	Housing Committee (Minute 93(b) - 11.3.87)	DIRECTOR OF COMMUNITIES	HOUSING DEFECTS - PLANNING APPLICATIONS FOR REINSTATEMENT WORKS To submit applications for deemed planning consent in connection with the reinstatement of all Council owned designated defective dwellings.
EX31	Portfolio Holder Decision (1.3.04)	DIRECTOR OF COMMUNITIES	HOUSING LAND – USE FOR COMMUNITY EVENTS To grant licences for community events to be held on housing land in the future, subject to consultation with Ward Members and local residents (where residential properties are located nearby) and all health and safety insurance requirements being met by the organisation staging the event.
EX32	Council (Minute 23(7)(2) - 29.6.82) Housing Committee (Minute 116(4) - 26.1.98)	DIRECTOR OF COMMUNITIES (in consultation with the appropriate Portfolio Holder)	HOUSING LAND - SURPLUS PLOTS To negotiate, agree terms and dispose of surplus plots of garden land (in consultation with the relevant Portfolio Holder and appropriate Ward Members) as identified by the Council.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX33	Housing Committee (Minute 145 - 25.3.97)	DIRECTOR OF COMMUNITIES	HOUSING LAND - WAYLEAVES To grant wayleaves where there is no detrimental effect on the Council, subject to consultation with Ward Members.
EX34	Cabinet (Minute 155 – 6.2.06)	DIRECTOR OF COMMUNITIES	HOUSING OPTIONS CONSORTIUM To exercise the Cabinet's functions in respect of the Housing Options Consortium, being a partnership of local authorities of which the Council is a member.
EX35	Housing Committee (Minute 74 - 4.3.92)	DIRECTOR OF COMMUNITIES	HOUSING REGISTER RULES – WAIVING To waive Housing Register Rules where the Director of Communities considers there are good grounds for so doing.
EX36	Housing Services Director Committee (Minute 6(a)(iii) - 29.10.73)	DIRECTOR OF COMMUNITIES	(HOUSING) MUTUAL EXCHANGES To approve applications under the Mutual Exchange Scheme.
EX37	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant member of staff)	ILLNESS - PERSONS IN NEED OF CARE AND ATTENTION To act as proper officer to the Council for the purposes of Section 47 of the National Assistance Act 1948 (removal to suitable premises of persons in need of care and attention or those suffering from grave chronic illness).
EX38	Public Health Committee (Minute 72 - 21.9.83) (Minute 92 - 17.3.92)	HPA (Any Consultant member of staff)	INFECTIOUS AND COMMUNICABLE DISEASES To act as proper officer to the Council for the purposes of the Public Health (Infectious Diseases) Regulations 1968, the Public Health (Control of Diseases) Act 1984 and Section 47 of the National Assistance Act 1948.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX39	<p>Council (Minute 23 – 15.5.08)</p> <p>Cabinet (Minute 42 – 29.7.13)</p> <p>NB. Delegated authority to deal with Section 23-25 of the Land Drainage Act 1991 (as amended) will come into operation once final confirmation from Essex County Council has confirmed the delegation (27.8.13)</p>	<p>DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (TECHNICAL SERVICES) DRAINAGE MANAGER (AND RELEVANT STAFF DULY AUTHORISED TO ACT ON HIS BEHALF)</p> <p>RELEVANT PORTFOLIO HOLDER</p>	<p>LAND DRAINAGE AND FLOOD DEFENCE</p> <p>To act under the statutory provisions in the Epping Forest District Council – Land Drainage Byelaws 2005.</p> <p>To act under the statutory provisions listed below:</p> <p>Land Drainage Act 1991</p> <p>Section 14 General drainage powers to maintain, construct and improve drainage works etc</p> <p>Section 15 Disposal of spoil from works to watercourse</p> <p>Section 23, 24 and 25 Consenting to and enforcement of ordinary watercourses as delegated by Essex County Council as amended by the Flood & Water Management Act 2010</p> <p>Sections 26 and 27 Powers to require works for maintaining flow of watercourses etc</p> <p>Section 64 Powers of entry for internal drainage boards and local authorities</p> <p>Public Health Act 1936</p> <p>Section 260 Power to deal with ponds, ditches etc</p> <p>Section 262 Power to require culverting of watercourses and ditches where building operations in prospect</p> <p>Section 263 Approval of plans to culvert or cover any stream or watercourse</p> <p>Section 264 Issue of notice requiring the repair or cleansing of culverts</p> <p>To approve updates to the list of legislation set out above.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX40	Land Sub-Committee (Minute 130 – 31.1.95) Resource Sub-Committee (Minute 56 – 24.9.91)	DIRECTOR OF NEIGHBOURHOODS (after considering any views of the relevant Portfolio Holder) Ditto	LANDLORD AND TENANT - ESTATES MANAGEMENT (a) To serve notices under Part II of the Landlord and Tenant Act 1954 as amended by Part I of the Law of Property Act 1969 in connection with negotiation of new rentals for Council properties. (b) To take immediate corrective management action (except the institution of legal proceedings) for breaches of covenant in leases of shops, industrial estates and industrial land (c) To approve rent reviews and lease renewals for shops and industrial premises. (d) To let Council shops for periods of three years up to a maximum of 12 years. (e) To approve licences to assign and licences for change in use in consultation with the relevant Portfolio Holder.
EX41	Policy and Co-ordinating Committee Minute 44(3) – 29.11.83	DIRECTOR OF NEIGHBOURHOODS	NAMING OF STREETS To approve the names of new streets in accordance with the Town and Police Clauses Act 1847, where, following consultation, one name is agreed by all parties.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX42	Council (Minute 138 – 28.4.09) Portfolio Holder Decision L/001/2005/6 dated 20.5.05	DIRECTOR OF NEIGHBOURHOODS (OR NOMINATED OFFICER)  DIRECTOR OF NEIGHBOURHOODS	NORTH WEALD AIRFIELD - NON COMMERCIAL LETTINGS (a) To negotiate and produce agreements and licences for all regular bookings and single events (of a non public character) which comply with the standard licence agreement and fees operated by the Council. (b) To negotiate in liaison with the Airfield Manager, any arrangements regarding use of the Airfield (except those which fall under item (1) above), and, where appropriate, to draft and execute appropriate agreements or licences for all Airfield uses including any negotiated under (a) above, which may be referred to the Director of Neighbourhoods. (c) That subject to compliance with the Council's policy the Director of Neighbourhoods be granted delegated authority to sanction the Concessionary Hire of Leisure Facilities by, or on behalf of, registered charities, for Fundraising Events.
EX43	Public Health Committee (Minute 72 – 21.9.83)	HPA (Any Consultant member of staff) (See also under "Disease Control")	NOTIFIABLE DISEASES To act as proper officer for the purposes of the Public Health (Control of Disease) Act 1984.
EX44	Cabinet (Minute 142 – 14.3.05)	DIRECTOR OF NEIGHBOURHOODS (or authorised Environmental Health Officer)	NUISANCES Authority to make closure orders under Section 40 of the Anti Social Behaviour Act 2003 and to give notices of cancellation of closure orders under Section 41 of that Act

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX45	Personnel Sub-Committee (Minute 79 – 17.11.81)	DIRECTOR OF RESOURCES	OFFICES - USE OF To determine applications to use Council offices (See also under "Car Parks (Council)").
EX46	Cabinet Minute 151(10) – 18.4.11	DIRECTOR OF COMMUNITIES	OFF STREET CAR PARKING SCHEMES "To submit planning applications for future off-street parking schemes at the appropriate time after the resident consultation exercise."
EX47	Policy and Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF RESOURCES	ORDNANCE SURVEY To act as proper officer for the purposes of Section 191 of the Local Government Act 1972 (Marking out and checking of reputed boundaries).
EX48	Policy and Co-ordinating Committee (Minute 99 – 21.11.89)	DIRECTOR OF GOVERNANCE	PHYSICAL ASSAULTS ON STAFF In the event of the Crown Prosecution Service not proceeding after physical assault on a Council employee, to give instructions to prosecute where the Director of Governance consider that the Attorney General's guidelines for prosecutions in a private prosecution for assault are satisfied.
EX49	Housing Committee (Minute 74 – 4.3.92)	DIRECTOR OF GOVERNANCE DIRECTOR OF RESOURCES	POSSESSION ORDERS - MORTGAGE ARREARS To obtain and execute in the case of mortgage arrears where an Order for possession is granted by the Courts, a warrant for the possession of a property. To offer for sale on the open market any property subsequently repossessed.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX50	Housing Committee (Minute 75 – 14.11.95)	DIRECTOR OF COMMUNITIES	<p>POSSESSION ORDERS - RENT ARREARS/GAS SAFETY INSPECTIONS AND OTHER RELATED ACTIONS</p> <p>(a) To serve notices of seeking possession for any of the grounds contained in Schedule 2 of the Housing Act 1985;</p> <p>(b) Where considered appropriate, to serve notices to quit in cases where the tenant is not a secure tenant as defined in the Housing Act 1985;</p> <p>(c) To institute proceedings in the County Court for the possession of properties following service of a notice seeking possession or a notice to quit;</p> <p>(d) To institute proceedings in the County Court for the recovery of rent, court costs and service charges; and</p> <p>(e) To obtain and execute a warrant for eviction where possession has been awarded by the Court. In respect of secure and non-secure tenancies of Housing Revenue Account properties:</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	<p>Housing Committee (Minute 46 – 12.9.2000)</p> <p>Housing Management Sub Committee (Minute 161 – 15.2.77)</p> <p>Portfolio Holder Decision (24.3.2004)</p>	<p>DIRECTOR OF COMMUNITIES, ASSISTANT DIRECTOR (HOUSING PROPERTY AND DEVELOPMENT), ASSISTANT DIRECTOR (HOUSING OPERATIONS) AREA HOUSING MANAGER (NORTH), AREA HOUSING MANAGER (SOUTH)</p> <p>HOUSING OPTIONS MANAGER</p> <p>DIRECTOR OF COMMUNITIES HOUSING ASSETS MANAGER (HMT/01) (or any officer authorised to act)</p>	<p>(f) to approve and sign Notices and Seeking Possession and Notices to Quit;</p> <p>(g) to initiate proceedings in the County Court for possession and the recovery of rent, mesne profits, service charges and court costs, in accordance with relevant legislation; and</p> <p>(h) to seek and execute warrants of execution for possession; and</p> <p>(i) to undertake the actions set out in (a), (b) and (c) above, in respect of non-secure tenancies and licences at the Council's Homeless Persons' Hostel (Norway House) including the eviction of any homeless person who defaults in the payment of accommodation charges for four successive weeks or more.</p> <p>(j) Approve and sign Notices of Seeking Possession on the grounds of a breach of tenancy conditions for not allowing the Council access to undertake required repairs and maintenance;</p> <p>(k) Initiate proceedings in the County Court for possession or to provide access for the purpose of undertaking the statutory annual Gas Safety Inspection in accordance with the relevant legislation; and</p> <p>(l) Seek and execute warrants of execution for possession authorised by the Court.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX51	Standing Order A41(4)	DIRECTOR OF GOVERNANCE	PRESS RELEASES To issue press releases in advance of publication of relevant committee minutes, if appropriate.
EX52	Cabinet (Minute 109 – 18.12.06)	DIRECTOR OF COMMUNITIES ASSISTANT DIRECTOR OF COMMUNITIES (PRIVATE SECTOR HOUSING COMMUNITIES SUPPORT)	PRIVATE SECTOR HOUSING – ASSISTANCE (including Decent Homes Repayable Assistance, Small Works Repayable Assistance, Thermal Comfort Grants, Conversion Grants, Empty Homes Repayable Assistance and Disabled Facilities Grants) To exercise the powers and duties under relevant legislation. (See also 'Private Sector Housing – General')
EX53	Cabinet (Minute 184 – 10.4.06)	DIRECTOR OF COMMUNITIES ASSISTANT DIRECTOR OF COMMUNITIES (PRIVATE SECTOR HOUSING AND COMMUNITIES SUPPORT) RELEVANT PORTFOLIO HOLDER	PRIVATE SECTOR HOUSING – GENERAL To exercise the powers and duties set out in Appendix A including powers of entry by warrant where this is not specified in the legislation listed. To authorise updates to the list of legislation set out in Appendix A (see also 'Private Sector Housing – Assistance')
EX54	Finance Sub-Committee (Minute 57 – 31.5.79)	DIRECTOR OF RESOURCES	RATING - DISABLED PERSONS To administer the provisions of the Rating (Disabled Persons) Act 1978.
EX55	Leisure Services Committee (Minute 5 – 23.5.91)	DIRECTOR OF NEIGHBOURHOODS	RECREATION CHARGES – LEISURE ACTIVITIES AND EVENTS To make adjustments to the level of fees and charges within the maximum approved by the Cabinet.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX56	Housing Management Sub-Committee (Minute 152(c)(2) – 11.3.80)	DIRECTOR OF COMMUNITIES	RENT ARREARS - DECEASED TENANTS To write off rent arrears in respect of deceased tenants, where there is no means of recovering the debt.
EX57	Cabinet Minute 46 – 12.9.11	DIRECTOR OF COMMUNITIES	RESTRICTIVE COVENANTS – HOUSING IN MULTIPLE OCCUPATION To agree requests to vary restrictive covenants on former Council houses, in order to grant permission for their use as privately-rented shared accommodation, provided all of the conditions set out in Cabinet Minute 46 – 12.9.11 have been met.
EX58	Cabinet (Minute 184 – 10.4.06) Leader decision 2/11 (May 2011) Portfolio Holder Decision ENV/004/2009-10 Council (Minute – 20.4.10)	DIRECTOR OF NEIGHBOURHOODS (or in his absence ASSISTANT DIRECTORS (ENVIRONMENT AND NEIGHBOURHOOD SERVICES AND TECHNICAL) (or suitably qualified officers authorised by the above-named) Appropriate Portfolio Holder DIRECTOR OF NEIGHBOURHOODS	“SAFER, CLEANER, GREENER” LEGISLATION – AUTHORISATION OF OFFICERS To exercise those functions relating to the management and provision of the Environmental Health Service set out in the list of environmental health legislation in Appendix B including, where necessary, powers of entry by warrant. To delegate appropriate powers to the Director of Neighbourhoods relating to the management and provision of the Environmental Health Service set out in the attached list of environmental health legislation as set out in Appendix B. To approve updates to the list of environmental legislation set out in Appendix B.
EX59	Council (Minute 24(2) – 30.6.81)	DIRECTOR OF COMMUNITIES (after considering the views of the Portfolio Holder)	SALE OF COUNCIL HOUSES - DISCOUNTS To determine, under Part V of the Housing Act 1985, applications for discounting of entitlement periods where a potential purchaser lives with their parents.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX60	Council (Minute 40(4) – 15.7.86) Housing Committee Minute 117(5) & (6)	DIRECTOR OF COMMUNITIES	SALE OF COUNCIL HOUSES - RESTRICTIVE COVENANTS, MINOR EXTENSIONS AND ALTERATIONS To deal with applications for minor extensions or alterations in sold Council houses in accordance with the terms of the house sales agreement. To agree, in consultation with the Portfolio Holder, future requests for release of restrictive covenants to allow development within the curtilage of former Council properties, prior to planning permission being obtained. To negotiate terms for the release of covenants agreed by the Director of Communities, subject to the outcome being reported to the Portfolio Holder for approval.
EX61	Council (Minute 11(c) – 2.6.77)	DIRECTOR OF NEIGHBOURHOODS	SALE OF COUNCIL HOUSES - VALUATIONS To carry out all valuations in respect of sale of Council houses.
EX62	Policy and Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	SECURITIES To act as proper officer for the purposes of Section 146 (1)(a)(b) of the Local Government Act 1972 (declarations and certificates regarding securities).
EX63	Public Health Committee (Minute 73 – 21.9.83)	HPA (Any Consultant member of staff)	SHIPS To act as proper officer to the Council for the purposes of the Public Health (Ships) Regulations 1970.
EX64	Housing Committee (Minute 121 – 8.11.77)	DIRECTOR OF GOVERNANCE (in consultation with Director of Communities)	SQUATTERS - EVICTION To take such urgent action as is necessary to secure the vacation of any Council properties, which are occupied by squatters.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX65	Council (Minute 90(5) – 23.2.82)	DIRECTOR OF RESOURCES	STAFF - APPOINTMENTS TO POSTS REQUIRING LITTLE OR LIMITED TRAINING To determine whether, in respect of the filling of posts requiring little or limited training, appointments should be made from outside the Council's current workforce.
EX66	Personnel Sub-Committee (Minute 3 – 31.5.83)	DIRECTOR OF RESOURCES (or in his absence the Deputy Chief Executive)	STAFF - TRAVELLING ALLOWANCES To consider and adjudicate on any request to make an exception to policy for reimbursement of travelling expenses in pursuance of an officer's duties, being limited to second class rail fare.
EX67	Personnel Sub-Committee (Minute 77 – 28.5.74)	CHIEF EXECUTIVE SERVICE DIRECTORS	STUDY LEAVE To grant, at their discretion, up to one week's leave of absence with full pay for the purposes of final revision in the period preceding an examination.
EX68	Policy & Co-ordinating Committee (Minute 23 – 5.10.93)	DIRECTOR OF GOVERNANCE	SUBSCRIPTIONS - OUTSIDE ORGANISATIONS To pay subscriptions in respect of organisations on which the Council is represented at member level.
EX69	Public Health Committee (Minute 46 – 19.9.84)	DIRECTOR OF GOVERNANCE	SUNDAY TRADING - CAR BOOT SALES To institute proceedings in respect of such sales where complaints have been received and satisfactory evidence is available.
EX70	Portfolio Holder decision reference H/026/2002-3	DIRECTOR OF COMMUNITIES	SUPPORTING PEOPLE – SIGNING OF CONTRACTS To sign the Supporting People “Block Subsidy” and “Block Grants” contracts with Essex County Council for 2003/03, and subsequent years, in order to receive funding from the Essex Supporting People Commissioning Body for the provision of support services.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX71	Council Minute 127 – 23.4.13	CHIEF FINANCIAL OFFICER (DIRECTOR OF RESOURCES)	TAX BASE To declare the Council's Domestic and NNDR Tax Bases in accordance with the Local Government Finance Act 1992 and the Local Authorities (Calculation of Tax Base)(England) Regulations 2012 and any subsequent legislation.
EX72	Personnel Sub-Committee (Minute 37 – 14.2.74)	CHIEF EXECUTIVE SERVICE DIRECTORS	TEMPORARY STAFF To engage temporary staff and/or part time staff and subject to the overall estimated salaries bill for the service concerned not being exceeded in any one year.
EX73	Housing Services Committee (Minute 6(a)(iii) – 29.10.73)	DIRECTOR OF COMMUNITIES	TENANCIES - COUNCIL HOUSES To allocate tenancies in accordance with the Housing Allocation Scheme.
EX74	Portfolio Holder Decision (23.8.04)	DIRECTOR OF COMMUNITIES OR NOMINATED OFFICER	TENANCIES – DEMOTED TENANCY ORDERS Inter alia: (1) To serve demoted tenancy notices in appropriate cases; (2) To apply to the County Court for Tenancy Demotion Orders and subsequent Possession Orders in appropriate cases.
EX75	Housing Management Sub-Committee (Minute 33(c)(2) – 15.5.74)	DIRECTOR OF COMMUNITIES	TENANCIES - SERVICE To accept any application for priority Council housing in cases where a tenant of service accommodation reaches retirement age after having occupied the accommodation for a minimum of 15 years.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX76	Housing Portfolio Holder Decision HSG/-33/2013-14	DIRECTOR OF COMMUNITIES	USE OF OPEN SPACES ON LAND HELD UNDER HOUSING ACT POWERS To agree or refuse (in consultation with Ward Members), events managed by Town and Parish Councils or other organisations on any land held under Housing Act powers; provided the Council enters into an Agreement with the organisation meeting the Council's required conditions.
EX77	Housing Services Committee (Minute 6(d)(1) – 29.10.73)	DIRECTOR OF COMMUNITIES	WARRANTS OF DISTRAINT To issue warrants of distraint in housing cases.
EX78	Development Committee (Minute 60 – 6.1.93) Public Health Committee (Minute 52 – 17.11.92) Housing Committee (Minute 56 – 24.11.92) Development Committee (Minute 60 – 6.1.92)	DIRECTOR OF NEIGHBOURHOODS (in consultation with the Director of Governance) ASSISTANT DIRECTOR – NEIGHBOURHOOD SERVICES DIRECTOR OF COMMUNITIES (Housing Act Powers) DIRECTOR OF GOVERNANCE	WARRANTS FOR ENTRY To make applications to the Magistrates Court for entry pursuant to the Environmental Protection Act 1990, Public Health Acts 1936-61, Control of Pollution Act 1974, Clean Air Acts 1956-68, Food Safety Act 1990, Building Act 1984, Housing Acts 1957-85 and Local Government and Housing Act 1989. To make applications to the Magistrates' Court for warrants of entry in accordance with the Building Act 1984 and the Town and Country Planning 1990.
EX79	Public Health Committee (Minute 144(a) – 9.3.77)	DIRECTOR OF NEIGHBOURHOODS (after consideration of any views of the Portfolio Holder and local ward member(s))	WASTE DISPOSAL ON LAND To submit representations to Essex County Council on any proposed licence.

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PRIVATE SECTOR HOUSING - SCHEDULE OF DELEGATION

Building Act 1984 Sections 59-62, 63, 64, 66, 67, 68, 70, 71, 76, 79, 84-85, 91-115.	Director of Communities
Caravan Sites and Control of Development Act 1960 Sections 1, 2, 3, 4-5, 8-11, 12, 23, 24, 25, 26.	Director of Communities
Caravan Sites Act 1968 Sections 3, 14.	Director of Communities
Civil Evidence Act 1995 Section 9.	Director of Communities
Clean Neighbourhoods and Environment Act 2005 Sections 102, 103.	Director of Communities
Criminal Procedure and Investigations Act 1996 Section 26.	Director of Communities
Environmental Protection Act 1990 Sections 79-82, Schedule 3.	Director of Neighbourhoods
Home Energy Conservation Act 1995 Sections 2, 5.	Director of Neighbourhoods
Home Safety Act 1961 Section 1.	Director of Communities
Housing Act 1985 Sections 17, 54, 265-275, 289, 290-297, 300-306, 308, 309, 319, 320, 324-340, 435-443, 523, 535-537, 540-542, 544-546, 584A, 584B, 596, 597, 609, 611, 617.	Director of Communities
Housing Grants, Construction and Regeneration Act 1996 Sections 1-3, 19, 21-24, 29-31, 34-44, 51, 52, 55-57, 95.	Director of Communities
Housing Act 2004 Sections 4, 5, 7, 8, 10, 11, 12, 16, 17, 20, 21, 25-29, 31-32, 40-43, 46, 47, 49, 50, 55-62, 64-67, 69, 70, 73, 74, 102-107, 110-113, 115, 116, 121, 122, 127, 129-131, 133, 136-140, 144, 210, 225, 232, 232-236, 239, 243, 255, 256.	Director of Communities
Landlord and Tenant Act 1985 Sections 1, 2, 4, 8, 11, 12, 20, 34.	Director of Communities
Local Government Act 1974 Section 36.	Director of Communities
Local Government and Housing Act 1989 Sections 89-93, 95, 97, 169.	Director of Communities
Local Government (Miscellaneous Provision) Act 1976 Section 13, 15, 16, 33, 35.	Director of Communities
Local Government (Miscellaneous Provision) Act 1982 Sections 27, 29, 30, 31, 32, 33, 37, 41.	Director of Communities

Planning and Compensation Act 1991 Sections 196A-C	Director of Communities
Prevention of Damage by Pests Act 1949 Sections 4-7, 10, 22, 26.	Director of Communities
Protection from Eviction Act 1977 Sections 6, 7.	Director of Communities
Protection from Harassment Act 1997 Sections 1, 6, 7.	Director of Communities
Public Health Act 1936 Sections 1, 45, 48-50, 83, 84-87, 264, 265, 268-270, 275, 276, 278, 284, 287, 290, 291, 293, 298.	Director of Communities
Public Health Act 1961 Section 17, 22, 34, 36, 37, 73, 74.	Director of Communities
Town and Country Planning Act 1990 (as amended) Sections 215 – 219	Director of Communities

LIST OF SAFER, CLEANER, GREENER LEGISLATION

Animal Boarding Establishments Act 1963 Sections 1, 2 and 4	Director of Neighbourhoods
Animal Health Act 1981 Sections 15(6), 17, 18, 50, 52, 56, 63, 64, 64A, 81 and 91(2)	Director of Neighbourhoods
Anti-Social Behaviour Act 2003	Director of Communities
Breeding and Sale of Dogs (Welfare) Act 1999 Sections 1-11	Director of Neighbourhoods
Betting, Gaming and Lotteries Act 1963 Sections 4, 6, 9, 16, 16A and 23, and Schedule 1 Paragraphs 5, 12 and 29 of Schedule 2 Paragraphs 3, 6, 7, 9, 10, 12(4) and 13 of Schedule 3 Paragraphs 8 of Schedule 5	Director of Neighbourhoods
Breeding of Dogs Act 1973 Sections 1, 1(2A) and 2	Director of Neighbourhoods
Breeding of Dogs Act 1991 Section 1	Director of Neighbourhoods
Building Act 1984 Sections 54, 56, 59 to 62, 64 to 68, 70 to 72 – 115	Director of Governance
EFDC bye laws for the control of dogs All	Director of Neighbourhoods
Caravan Sites Act 1968 Section 14	Director of Communities
Caravans Sites and Control of Development Act 1960 Sections 3, 5 and 8 to 11 Sections 24(1), (2) and (3) Sections 25 and 26	Director of Communities
Cattle Identification Regulations 1998 Regulation 5	Director of Neighbourhoods
Celluloid and Cinematograph Film Act 1922 Sections 1 and 4	Director of Neighbourhoods
Charities Act 1992 Sections 68 and 70 Section 78	Director of Neighbourhoods
Chronically Sick and Disabled Persons Act 1970 Sections 4 and 5	Director of Neighbourhoods

Cinemas Act 1985 Sections 1, 1(3)(6D) to 1(3)(6F), 2, 3(2), 3A, 9, 12, 13, 13(3), 14, 18	Director of Neighbourhoods
Civil Evidence Act 1995 Section 9	Director of Neighbourhoods
Clean Air Act 1993 Sections 4, 6 to 12, 15, 16, 18, 19, 22(3), 24 to 26, 30, 31, 34, 35, 35(2), 35(4) 36, 38, 39, 45 to 48, 51, 55, 56, 57(5), 58, 60	Director of Neighbourhoods
Clean Neighbourhoods and Environment Act 2005 All	Director of Neighbourhoods
Contaminated Land (England) Regulations 2000 All	Director of Neighbourhoods
Control of Dogs Order 1992 Sections 4 and 5	Director of Neighbourhoods
Control of Pollution Act 1974 Section 22 Section 23 Sections 57, 60, 61, 62, 68, 91 and 93	Director of Neighbourhoods
Control of Pollution (Amendment) Act 1989 All	Director of Neighbourhoods
Cremation Act 1902 Sections 6, 7 and 9	Director of Neighbourhoods
Crime and Disorder Act 1998 Section 1 Section 12 Section 17 and 37	Director of Communities
Criminal Justice and Police Act 2001 Sections 13, 19, 20, 22 and 25 Sections 50, 52 to 55 and 60 to 62	Director of Communities Director of Neighbourhoods
Criminal Justice and Public Order Act 1994 Sections 77, 78, 79(3), and 163	Director of Communities
Criminal Procedure and Investigations Act 1996 Section 26	Director of Communities Director of Neighbourhoods
Customs and Excise Management Act 1979 Section 176	Director of Communities
Dairy Products (Hygiene) Regulations 1995 (made under the Food Safety Act 1990) Regulations 6, 6(11), 7, 8, 16 and 19	Director of Neighbourhoods
Dangerous Dogs Act 1991 Section 5	Director of Neighbourhoods

Dangerous Wild Animals Act 1976 Sections 1, 3(1) to 3(3) and 4 Defective Premises Act 1972	Director of Neighbourhoods
Dogs (Fouling of Land) Act 1996 Section 4	Director of Neighbourhoods
Egg Products (Regulations) 1993 (made under the Food Safety Act 1990) Regulations 5, 5(5), 8 and 9	Director of Neighbourhoods
Energy Act 1976 Section 18	Director of Neighbourhoods
Energy Conservation Act 1981 Sections 20, 23 and 24	Director of Neighbourhoods
Environment Act 1995 Sections 82 to 84, 88 and 90 Sections 108 to 113 Paragraphs 2 and 6 of Schedule 18	Director of Neighbourhoods
Environmental Damage (Prevention and Remediation Regulations 2009)	Director of Neighbourhoods
Environment and Safety Information Act 1988 Sections 1 and 3	Director of Neighbourhoods
Environmental Protection Act 1990 Sections 2 to 4, 6, 6(6), 7, 8, 8(8), 10, 10(2), 10(3A), 10(5), 11 to 14 19 to 22 and 24 Section 33 Section 46 Section 47 Section 47(5) Sections 48, 49, 52, 55, 57, 59, 60, 62, 63 and 63A Sections 78B to 78E, 78G, 78H, 78N, 78P, 78R to 78V, 78X, 78YC and 79 to 82 Sections 87 to 89, and 91 to 95 Section 140 Section 141 Sections 149 and 150 Section 156	Director of Neighbourhoods
Essex County Council Act 1952 Section 58	Director of Neighbourhoods
European Communities Act 1972 Section 2	Director of Neighbourhoods
Fire Safety and Safety of Places of Sport Act 1987 Sections 26 to 29, 31, 34 and 35	Director of Neighbourhoods
Food and Environment Protection Act 1985 Sections 16 and 19	Director of Neighbourhoods
Food Premises (Registration) Regulations 1991	Director of Neighbourhoods

All

Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998

All Director of Neighbourhoods

Food Safety & Hygiene (England) Regulations 2013

All Director of Neighbourhoods

Food Hygiene (England) Regulations 2006

All Director of Neighbourhoods

Food Safety Act 1990

Sections 5 and 6 Director of Neighbourhoods

Sections 9 and 10 AO

Sections 11, 11(6) and 11(7)

Section 12 AO

Sections 18, 19, 23, 27 and 28

Section 29 AO

Section 30 AO

Section 31

Section 32 AO

Sections 32(2), 40 to 42, 44 to 46 and 49

Game Act 1831

Section 18

Game Licences Act 1860

Sections 4, 8 and 14

Gaming Act 1968

Sections 11 and 34, Schedule 2 and Schedule 9

Guard Dogs Act 1975

Section 3 Director of Neighbourhoods

Health and Safety at Work etc Act 1974

Section 2 CPO Director of Neighbourhoods

Sections 2(1), 3, 4 and 15

Sections 18 and 19

Sections 20 to 23 and 25 INSPS

Sections 26, 27 and 34

Section 38 INSPS

Sections 39 and 43

Highways Act 1980

Sections 131 and 132 Director of Neighbourhoods

Home Safety Act 1961

Section 1 Director of Neighbourhoods

Housing Act 1985

Sections 189, 190, 190A, 191A, 193 to 195, 197 and 202 Director of Communities

Sections 264, 278, 279, 284, 286 to 288,

Sections 310, 315, 346 to 352A, 354, 356 to 358, 363 to 365, 368, 372, 375, 377, 377A, 378 to 381, 383 and 385

Sections 386 and 387

Section 389

Sections 390(2), 392, 395 and 397

Sections 604A, 605 and 606
Sections 611 and 617

Housing Grants, Construction and Regeneration Act 1996 Director of Communities
Sections 4 to 18, 45 to 50, 63, 66 to 68, 70, 71, 71(2), 74, 76 to 79, 81, 82, 84 to 89,
92 and 97
Sections 108 to 111 and 115
Sections 131(4), 132, 134 to 136, 136(2) and 138

Landlord and Tenant Act 1985 Director of Communities
Sections 5, 19, 20B, 20ZA, 21, 21A, 21B, 22, 23, 29, 30, 30B and 31B

Local Government and Housing Act 1989 Director of Neighbourhoods
Parts VII, VIII, IX

Local Government Act 1972 Ditto
Sections 114, 135, 139, 142, 144, 145(2), 214, 214(3), 214(5), 215, 222, 224, 230, 236
Paragraphs 11 and 24 of Schedule 26

Local Government Act 1974 Ditto
Section 36

Local Government (Miscellaneous Provisions) Act 1976 Ditto
Sections 13, 15, 16, 20, 33, 35, Part II

Local Government (Miscellaneous Provisions) Act 1982 Ditto
Sections 27, 29, 30, 31, 32, 33, 37, 41, Paragraphs 7, 8, 9, 10, 13, 15 to 19 and 25
of Schedule 3

Local Government Act 1988 Ditto
Sections 17, 20, 33, 37

Local Government Act 1999 Ditto
Sections 3 to 5
Section 16
Section 26

Local Government Act 2000 Ditto
Sections 150 and 151

Meat and Meat Preparations (Hygiene) Regulations 1995 Director of Neighbourhoods
Regulations 4, 5 and 12

Meat Products (Hygiene) Regulations 1995 Director of Neighbourhoods
Regulations 4 to 6, 12 and 17

Medicines Act 1968 Director of Neighbourhoods
Sections 108, 111 to 114, 117 and 119

Motor Cycle Noise Act 1987 Director of Neighbourhoods
Section 1 and paragraph 3 of the Schedule

National Assistance Act 1948 Director of Neighbourhoods
Section 47

Noise Act 1996 Director of Neighbourhoods
All

Noise and Statutory Nuisance Act 1993 Section 10	Director of Neighbourhoods
Nurses Agencies Act 1957 Sections 2 and 3	Director of Neighbourhoods
Open Spaces Act 1906 Section 10 Sections 11(1) to 11(4) Sections 12 and 13	Director of Neighbourhoods
Pedlars Act 1871 Section 17	Director of Neighbourhoods
Performing Animals (Regulation) Act 1925 Sections 1 to 4	Director of Neighbourhoods
Pigs (Records Identification and Movement) Order 1995 The Order	Director of Neighbourhoods
Plant Health Act 1967 Sections 5 and 6(3)	Director of Neighbourhoods
Poisons Act 1972 Sections 5(1) to 5(3) 6 and 9(5) Section 9(6) INSPS Section 9(7) INSPS	Director of Neighbourhoods
Police and Criminal Evidence Act 1984 Section 67(9)	Director of Communities
Pollution Prevention and Control Act 1999 Section 2	Director of Neighbourhoods
Prevention of Damage by Pests Act 1949 Sections 2, 4 to 7, 10, 19, 22 and 26	Director of Neighbourhoods
Private Places of Entertainment (Licensing) Act 1967 Sections 3, 3A, 3C to 3E, 4, 4A and 4A(3)	Director of Neighbourhoods
Private Water Supplies Regulations 1991 Private Water Supplies Regulations (England) 2009 (when enacted) Private Water Supply Regulations (England) 2009	Director of Neighbourhoods
Protection of Animals Act 1911 to 1960 All relevant parts	Director of Neighbourhoods
Protection of Animals (Amendment) Act 2000 Sections 2, 3, 3(2) and 4	Director of Neighbourhoods
Public Health (Control of Disease) Act 1984 Sections 1, 11, 13, 16, 18 and 20 to 24 Sections 26 to 32 and 34 to 43 Sections 47, 48, 54, 56 to 59, 61, 64 and 69	Director of Neighbourhoods

Public Health Act 1875 Sections 153 and 161 Section 164 Sections 165, 305 and 308	Director of Neighbourhoods
Public Health Act 1925 Section 14 Sections 17 and 19 Section 56	Director of Neighbourhoods
Public Health Act 1936 Sections 1, 45, 48 to 50, 83, 84 to 87, 124, 140, 221, 222, 223, 227, 260, 261, 264, 265, 268 to 270, 275, 276, 278, 284, 287, 290, 291, 293 and 298	Director of Neighbourhoods
Public Health Act 1961 Sections 17, 22, 34, 36, 37, 45, 73, 74 and 77	Director of Neighbourhoods
Refuse Disposal (Amenity) Act 1976 Sections 3, 6, 8	Director of Neighbourhoods
Refuse Disposal Amenity Act 1978 Sections 1, 2, 3, 4, 5, 6 and 7	Director of Neighbourhoods
Safety of Sports Grounds Act 1975 Sections 1 to 5, 10, 10B and 11	Director of Neighbourhoods
Scrap Metal Dealers Act 1964 Sections 1, 1(3), 1(5), 1(6), 1(9), 3(1), 3(3), 9(2) and 9(3)	Director of Neighbourhoods
Slaughter of Poultry Act 1967 Sections 4 and 6	Director of Neighbourhoods
Slaughterhouses Act 1974 Sections 4, 5, 10, 19, 20, 22, 29, 41 and 42	Director of Neighbourhoods
Sunbeds (Regulation) Act 2010	Director of Neighbourhoods
Sunday Entertainments Act 1932 Section 3	Director of Neighbourhoods
Sunday Trading Act 1994 Section 2(3) Paragraphs 4(3) and 5 of Schedule 1 Paragraphs 1 and 2 of Schedule 2 Paragraphs 3(a) to 3(c) of Schedule 2 INSPS Paragraphs 3(d), 8(5) and 8(7) to 8(9) of Schedule 2 Paragraphs 3, 7 and 8 of Schedule 3	Director of Neighbourhoods
Theatres Act 1968 Sections 13(4), 13(5) and 15 Paragraphs 1, 3 to 7 and 7C of Schedule 1	Director of Neighbourhoods
Town and Country Planning Act 1990	Director of Neighbourhoods

Sections 215, 224 and 225

Water Industry Act 1991

Sections 77 to 85

Section 115

Section 200

Director of Neighbourhoods

Water Supply (Water Quality) Regulations 2000 (and any subsequent amending regulations)

Director of Neighbourhoods

Wildlife and Countryside Act 1981

Sections 20 and 25

Director of Neighbourhoods

Zoo Licensing Act 1981

Sections 1, 4 to 7, 10 to 12 and 14 to 27

Director of Neighbourhoods