

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee:	Council	Date:	20 December 2018
Place:	Council Chamber, Civic Offices, High Street, Epping	Time:	7.30 - 9.19 pm
Members Present:	Councillors R Bassett (Chairman), R Gadsby (Vice-Chairman), N Avey, R Baldwin, A Beales, H Brady, P Bolton, R Brookes, L Burrows, G Chambers, K Chana, D Dorrell, A Grigg, S Heap, S Heather, R Jennings, J Jennings, S Jones, H Kane, S Kane, H Kauffman, P Keska, Y Knight, J Lea, A Lion, M McEwen, L Mead, A Mitchell, G Mohindra, R Morgan, S Murray, S Neville, M Owen, J Philip, C P Pond, C C Pond, C Roberts, D Roberts, B Rolfe, M Sartin, J Share-Bernia, P Stalker, S Stavrou, D Stocker, D Sunger, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley		
Apologies:	Councillors N Bedford, I Hadley, L Hughes, J Knapman, A Patel, B Sandler and B Vaz		
Officers Present:	G Blakemore (Strategic Director), S Hill (Service Director (Governance & Member Services)), D Macnab (Acting Chief Executive), P Maddock (Assistant Director (Accountancy)), R Perrin (Senior Democratic Services Officer), T Carne (Public Relations and Marketing Officer) and A Rose (Marketing & Digital Content Officer)		

60. WEBCASTING INTRODUCTION

The Assistant Director, Governance 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.

61. MINUTES

RESOLVED:

That the minutes of the meeting on 1 November 2018 be taken as read and signed by the Chairman as a correct record.

62. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Staff Code of Conduct, D Macnab (Acting Chief Executive) declared a personal interest in agenda item 17 (Appointment of Monitoring Officer, Returning Officer and Other Officer Delegations). He advised that he had determined that his interest was pecuniary and that he would leave the meeting for the consideration and voting on the matter.

(b) Pursuant to the Council's Code of Member Conduct, Councillor G Mohindra declared a non pecuniary interest in agenda item 10 (Motions) due to the mentioning of Section 106 agreements which fell under his responsibilities as the Economic Development Cabinet Member for Essex County Council.

63. ANNOUNCEMENTS**(a) Chairman's Announcements**

The Chairman informed the Council that since the last meeting he had visited many volunteering groups and attended carol services across the District. In addition to these events, he had taken part in a sleeping rough event in Chelmsford and raised £450 for the Chess Homeless charity.

(b) Flowers

The Chairman announced that he intended to send the flowers from tonight's meeting to Abbeyfield Residential Care Home, Cunningham House, North Weald.

64. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions submitted for consideration at this meeting.

65. MEMBER REMUNERATION PANEL - ANNUAL REPORT

The Chairman of the Remuneration Panel, S. Lye, presented a report following the annual review of the Members' Allowances Scheme, which included the following aspects;

- (a) Basic Allowance;
- (b) Special Responsibility Allowances; and
- (c) Revised Scheme and Guidance

There had been minor drafting amendments, primarily to reflect the Council's new structure arrangements. A Statement of Implementation had been prepared based on not increasing the Basic Allowance or implementing any new Special Responsibility Allowances and it would be publicised on the Council's website, once agreed.

Report as first moved **ADOPTED**

RESOLVED:**Basic Allowance**

- (1) That no change be made to the level of Basic Allowance of £4,300.00 per member per annum, currently included in the Council's Members' Allowances Scheme for the 2019/20 municipal year;

Special Responsibility Allowance

- (2) That the Special Responsibility Allowance for the Chairman of the Staff Appeals Panel be removed from the Members' Allowances Scheme from the 2019/20 municipal year;
- (3) That no other changes be made to the application or implementation of the Special Responsibility Allowances currently included in the Members' Allowances Scheme for the 2019/20 municipal year;

Revised Scheme and Guidance

- (4) That, subject to the above recommendations and other administrative matters set out in this report, the Members' Allowances Scheme and Guidance for 2019/20 attached as Appendix 1, be adopted and implemented with effect from 24 May 2019;
- (5) That the Statement of Implementation of the Special Responsibility Allowances set out in the Members' Allowances Scheme for 2019/20, attached as Appendix 2, be agreed; and
- (6) That the Panel be kept apprised of the Council's intentions with regard to any future restructure proposals that directly affect the application of Special Responsibility Allowance for the specific member roles and responsibilities currently reflected in the Members' Allowances Scheme.

66. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no members questions under notice submitted for consideration at this meeting.

67. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from the Portfolio Holders. The Chairman invited the Leader of Council, to provide an oral report and the opportunity for other members of the Cabinet to give updates.

(a) The Leader of Council

The Leader updated the Council on the modernisation agenda, which included stream lining the senior management structure and reorganised the service groupings, to drive efficiencies savings and improve the Councils response to customers. This also included realigning the Portfolio Holders responsibilities with the service groupings.

The Council continued to be able to invest in new and improved services for the Districts residents, including providing a £10m leisure centre at Waltham Abbey and progressing the St John's Road re-development, to potentially create a new leisure centre, cinema and retail space. Similarly, the relocation of the Council's back office services to North Weald and redevelopment of the Civic Offices site, would be beneficial in creating a valuable community hub consisting of a number of public services and protecting the vitality of Epping High Street. Additionally, the Epping Forest Shopping Park was now fully let and trading well, generating additional revenue for the Council's front line services.

The Council's decision to fund three additional Police Officers and establishment of the police hub were unique across Essex, were having a positive impact on crime reduction. In conjunction with this, the Council had been working with the Epping Member of Parliament and the District Commander, to address residents concerns and return all night street lighting across the District. The Council had obtained agreement and costs from the Essex County Council Highways Portfolio Holder, K. Bentley and the Council would be writing to Town and Parish Councils shortly regarding initiatives to fund this, as public safety was the responsibility for all tiers of Local Government.

Finally, the examination in public was due to start in February and once the Local Plan had been found sound and adopted, the Council would focus on delivering housing, new employment opportunities and improved infrastructure, to ensure that the special character of the District was protected.

The Leader thanked both members and officers for all their work they had contributed over 2018.

(b) Contract and Technical Services Portfolio Holder

Councillor N. Avey advised that the Government had announced the Resource and Waste Strategy, which included packaging reforms and consistency of household collections across the country. The principles of reuse, reduce and recycle were to be reinforced and the effects of this on the Council would be monitored. There would be many consultations and members views would be sought for the formal responses.

(c) Strategic Projects Portfolio Holder

Councillor A. Lion informed the members that his Portfolio would assist the Leader and work with a number of services areas for strategic projects across the Council.

He had recently deputised at the Leaders and Chief Executive meeting, where discussions were had regarding policing, transport and road upgrades. The Essex Authorities were also sending a letter to the Mayor of London, concerning the managing of homeless people from London into Essex. He would also represent the Council at the London, Stansted, Cambridge Corridor Board and Local Strategic Partnership.

He advised that some of priorities that he would be involved in included the Garden Town development, St John's Road development, the Accommodation Strategy, the People's Strategy and the ICT Strategy. Also there were a number of cross business projects to work on which included paperless agendas, street charging points for electric cars, parking enforcement on the Council's housing estates and driving forward the digital initiation zone.

(d) Community and Partnership Services Portfolio Holder

Councillor S. Kane updated members on a recent incident in Loughton involving a dozen youths and a Taser. Following these two crimes had been reported and Essex Police had contacted and requested members of the public to formally report any crimes that had been suggested on social media. He advised that no prior intelligence had been received before the incident, although the Police were able to get 10 officers to vicinity and 8 additional officers would be patrolling the area surrounding the two schools that were still open.

(e) Business Support Services Portfolio Holder

The Local Government Settlement had been announced on 13 December 2018 and consultation responses were required by 10 January 2019.

68. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Homelessness

Councillor H. Whitbread asked the Housing & Property Services Portfolio Holder what the Council was doing to support and address homelessness in the District.

Councillor S. Stavrou advised the Council took the issue of homelessness extremely seriously and over the last couple of years, the budget from the Government had increased. The support grant had helped to pay for an additional Homelessness Prevention officer, to levitate and prevent homelessness in the district. The Council worked with many organisations that provided outreach programmes, to identify, contact and help rough sleepers.

The Council had been required to take a snapshot of homelessness in the District, which revealed 3 people. The Government had allocated £11m in 2019/20 to halve homelessness by 2022 and to end rough sleeping totally by 2027. The Council had put in a bid for the funding and if successful, it would be put towards another support officer, to give assistance the Homelessness Prevention Team.

(b) Lichfields Impact Study - The Broadway, Loughton

Councillor D. Sunger asked the Commercial & Regulatory Services Portfolio Holder when the Lichfields Impact Study concerning The Broadway, Loughton would be made available by the Council.

Councillor A. Grigg advised that officers had been analysing the impact assessment and it would be available to Ward Councillors on 4 January 2019 and publically available on 11 January 2019, when the Asset Management Economic Development Cabinet Committee agenda was published for the meeting on Thursday 17 January 2019.

(c) Epping Forest Libraries Services

Councillor S. Neville asked the Leader of the Council;

- (a) whether he agreed that the threat of closure to four of the Districts libraries, left this authority without a comprehensive library service as required under the Public Libraries and Museums Act 1964; and
- (b) what could be learnt from Thurrock Unitary Authority, who were trying to increase footfall and do everything they could to keep open the 10 libraries under threat in their authority.

Councillor C. Whitbread advised that it was the responsibility of Essex County Council, although all members and residents should respond to the consultation regarding the Districts libraries. Furthermore, there were also a number of other ways to run libraries, which had been demonstrated across the county such as community libraries and this should be considered.

(d) Crisp Pack Recycling

Councillor C.C. Pond asked whether the Contracts & Technical Services Portfolio Holder was aware of the initiative by Walkers crisps to recycle crisp packs and whether discussion could be had with Biffa to potentially include this in the kerb side recycling.

Councillor N. Avey advised that he had not been aware of the Walkers initiative, although he would discuss this with officers and potentially Biffa.

(e) Lichfield Impact Study - The Broadway, Loughton

Councillor C. Roberts informed the Commercial & Regulatory Services Portfolio Holder that he had requested a copy of the draft report for the Impact Study on The

Broadway, Loughton on 13 December 2018 and would like to know when it would be available.

Councillor A. Grigg advised that the Ward Councillors, which were Councillors C. C. Pond and M. Owen, would receive a copy of the report on 4 January 2019 and the report would be published within the Asset Management Economic Development Cabinet Committee agenda on the 11 January 2019.

(f) Local Plan

Councillor J.M. Whitehouse asked the Planning Services Portfolio Holder when a full schedule of the proposed amendments to the Local Plan would be available and what the process would be for members input and agreement.

Councillor J. Philip advised that the Council would not be aware of all the amendments until the Local Plan had been through the Public Examination procedure. He advised that there were processes for making modifications and various levels. Furthermore, it was very rare that any plan got through the examination process without some amendments, which were called Major Modifications. These would be suggestions from the examiner about what the Council would need to do, in their view to make the plan sound.

Any other major changes required, would go through the standard processes and where required, the public would be consulted. The full list of amendments would be made available through a report to the Local Plan Cabinet Committee or Cabinet.

(g) The Broadway, Loughton

Councillor M. Owen asked the Commercial & Regulatory Services Portfolio Holder whether the Council had ever discussed the sale or redevelopment of land at The Broadway, Loughton; and if the Council had done enough for a tenant on The Broadway, who would be shortly closing their premises, due to the possible impact from another retailer at the Epping Forest Shopping Park.

Councillor A. Grigg advised that the Council was not selling The Broadway, but were trying to attract businesses and people to the area, which had led to some changes that current tenants at the Broadway were concerned about.

With regards to the individual tenant mentioned, it was noted that they had taken on an assignment from a previous tenant, and not directly with the Council. Information regarding the application of a competitive retailer on the Epping Forest Shopping Park had been known on the 10 April 2017, and considered by Loughton Town Council on 24 April 2017. This had been in the public arena before the tenant on The Broadway had taken the assignment. A payment plan had been arranged for the tenant, although the Council could not allow the situation to continue. Therefore the Council had done everything possible to assist.

(h) Volunteers

Councillor S. Murray asked the Leader of Council, if he recognised the many local residents that volunteer for a community service in the District and the service provided by Epping Forest Foodbank, which had seen a 40% increase since 2017.

Councillor C. Whitbread applauded all of the volunteers that gave their time to the local community.

The Foodbank provided a huge support to residents in the District and he noted the worth while service they provided. He advised that if the Foodbank contacted the Council, members would look at ways to help assist the service, through possible grants.

(i) Local Plan

Councillor L. Burrows asked the Planning Services Portfolio Holder for further information on the arrangements for the examination in public for the Local Plan.

Councillor J. Philip advised that the first meetings would start in February 2019. The enquiry would take place in the Committee Rooms at the Civic Offices, which would be opened out to one room. It would be webcast and the Council Chamber would be used as an overflow area, where the enquiry could be viewed. The examination was currently schedule for 15 days and the Council wanted the process to be accessible to everyone.

(j) Christmas Tree Collections

Councillor J. Share-Bernia asked the Contracts & Technical Services Portfolio Holder for information on the collection of Christmas trees after the festive period.

Councillor N. Avey advised that residents should leave their Christmas trees next their green bins for collection after Christmas and if the trees were more than 6 feet tall, they should cut into half.

(k) Black Plastic

Councillor D. Wixley asked the Contracts & Technical Services Portfolio Holder that following his update on the Governments Resources and Waste Strategy, whether anything had been raised about the issues of non-recyclable black plastics.

Councillor N. Avey advised that this would probably be picked up in the consultations about the Resources and Waste Strategy.

69. MOTIONS

(a) Planning Delegations and Practice

Moved by Councillor H. Kauffman and seconded by Councillor C.C. Pond

“That the Council requests the Constitution Working Group to add to its work programme a revision of planning delegations and practice, so as to permit Members to review the text of any substantial draft S106 or S278 agreement before it is finalised.”

Amendment moved by Councillor J. Philip and seconded by Councillor P. Keska

To replace the motion with the following;

“That the Council requests the Constitution Working Group adds a review of planning delegations and practise to examine the approach taken to section 106 and section 278 agreements.”

Carried

Motion as amended **ADOPTED**

RESOLVED:

That the Council requests the Constitution Working Group adds a review of planning delegations and practise to examine the approach taken to section 106 and section 278 agreements.

70. LANDMARK SITE - SUPPLEMENTARY CAPITAL ESTIMATE

Mover: Councillor A. Grigg, Commercial and Regulatory Portfolio Holder

Councillor A. Grigg presented a report for additional Capital expenditure required to undertake necessary alterations and the letting of the Council's units at the Landmark Building.

Report as first moved **ADOPTED**

RESOLVED:

That a Capital supplementary sum of £140,000 to undertake the necessary alterations and letting of the Council's units at the Landmark Building be approved.

71. CAPITAL REVIEW 2018/19-2022/23

Mover: Councillor G Mohindra, Business Services Portfolio Holder

Councillor G. Mohindra submitted a report seeking amendments to the Capital Programme for the five year period 2018/19 to 2022/23, taking into account any slippage and re-phasing approved in June 2018 and any new schemes and allocations proposed since.

RESOLVED:

That the following amendments to the Capital Programme be approved:

- (a) A supplementary capital estimates of £56,000 for works to investment properties and £23,000 for the Shopping Park letting fees in 2018/19;
- (b) the inclusion of a supplementary capital estimate of £140,000 for works to let the units at the Landmark Building in 2018/19 and £70,000 for the installation of a new sub-station at North Weald Airfield, pending a Cabinet report submission and approval;
- (c) an additional allocation of £603,000 relating to the updated five-year planned facility management programme in 2021/22;
- (d) the inclusion of Capital allocations of £1,706,000, including recommendation (b), and £323,000 into 2018/19 and 2019/20 respectively as approved by appropriate delegations;
- (e) savings and reductions totalling £53,000 in 2018/19 and £10,000 in 2019/20 for General Fund projects;
- (f) virements relating to the Accommodation Project, pending approval, of

£25,000 in 2018/19 and £400,000 in 2019/20 to be taken from on-hold planned maintenance budgets;

(g) further virements in 2018/19 of £25,000 and £206,000 in 2019/20 within the General Fund and a transfer of a £33,000 potential savings within the car parking schemes;

(h) additional allocations, savings, reductions and virements in respect of the Council's housebuilding programme and other HRA capital schemes; and

(i) carry forwards totalling £2,294,000 and £7,473,000 from 2018/19 to future years for General Fund and HRA capital schemes respectively.

72. STANDARDS COMMITTEE - APPOINTMENT OF INDEPENDENT PERSONS

Mover: Councillor G. Chambers, Chairman of Standards Committee

Councillor G. Chambers advised that the Localism Act 2011 placed a duty on the Council and the local councils in the District, to promote and maintain high standards of conduct for elected and co-opted members. The requirements included having a Code of Conduct with which members must comply. The Act also required that authorities adopt arrangements for dealing with complaints about breaches of the Code of Conduct by members, which included making provision for the appointment of at least one Independent Person to support arrangements for dealing with standards matters.

RESOLVED:

That, the Council endorsed the appointment of Mr. A. Brooks and Mrs. J. Clare to the current vacancies for Independent Persons on the Standards Committee.

73. ANTI-FRAUD AND CORRUPTION STRATEGY

The Leader reported that the Anti-Fraud and Corruption Strategy had been reviewed and considered by the Audit and Governance Committee. The Strategy had incorporated amendments around the prevention of bribery introduced by the Public Contracts Regulations 2015 and strengthened anti-corruption elements in light of the new United Kingdom Anti-Corruption Strategy for 2017-2022.

RESOLVED:

That the Council's revised Anti-Fraud and Corruption Strategy, as attached at Appendix 3 to these minutes be approved.

74. LICENSING ACT 2003 STATEMENT OF POLICY - PERIODIC REVIEW

Mover: Councillor R. Morgan, Chairman of the Licensing Committee

The Chairman of the Licensing Committee reported that the Council was required to review the Statement of Policy made under the Licensing Act 2003. The Licensing Committee had considered the updated Policy which had incorporated minor typographical corrections and consultations responses.

RESOLVED:

That the attached Statement of Licensing Policy at Appendix 4 be adopted.

75. CONSTITUTIONAL WORKING GROUP**Mover: Councillor McEwen, Chairman of the Constitution Working Group**

Councillor M. McEwen presented a report regarding a review of the Planning Process and Local Council's Attendance; a review of the Petition Scheme; and a scheme for the appointment of Honorary Aldermen and Alderwomen.

RESOLVED:**PLANNING PROCESS REVIEW – LOCAL COUNCIL'S ATTENDANCE**

- (1) That in the instance where a local council had not registered to speak at an Area Plans Subcommittee, or failed to attend, having previously advised the Council of their intention to attend and speak, relevant applications be automatically referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination in accordance with the Scheme of Delegation;
- (2) That to facilitate (1) above, the following additions be made to the constitution:

- (i) That in Part 3 of the Constitution – Scheme of Delegations from the Council: delegation CLD2, paragraph 3 (c) be reworded to read:

“3(c) An objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered. Should the relevant Local Council fail to register to speak, the application be referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination in accordance with Rule P2 (2) (Planning Applications) set out in Part 4 of the Constitution.”

- (ii) That in Part 4 – Council Rules P2 (planning Applications, a further paragraph be added to read:

“P2 (2) That, pursuant to the scheme of delegation on planning applications set out in Part 3 of this constitution, where a local council have indicated, during the course of planning consultations, of their intention to attend and speak at the meeting where the proposal will be considered and then subsequently fail to register and attend, the application be referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination.”

PETITION SCHEME – REVIEW

- (1) That the revised version of the Petition Scheme attached at Appendix 5, be adopted.

APPOINTMENT OF HONORARY ALDERMEN AND ALDERWOMEN

- (1) That the scheme for the Appointment of Honorary Aldermen and Alderwomen, attached at Appendix 6, be adopted; and

- (2) That a District Development Fund budget of £3,500 to fund the implementation of the scheme, production of a supply of Badges of Office and Roll of Honour book be approved.

76. APPOINTMENT OF MONITORING OFFICER, RETURNING OFFICER AND OTHER OFFICER DELEGATIONS

The Monitoring Officer presented a report to the Council regarding the appointment of the Monitoring Officer, Returning Officer, Electoral Registration Officer and other Officer Delegations.

RESOLVED:

Monitoring Officer

- (1) That Nathalie Boateng, be designated as Monitoring Officer with immediate effect 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; and to be responsible for any Parish or Town Councils which were affiliated for the time being to the Epping Forest Standards Committee under Chapter 7 of the Localism Act;

- (2) That the existing delegations to the Monitoring Officer attached at Appendix be noted;

Returning Officer and Electoral Registration Officer

- (3) That, in accordance with the Representation of the People Act 1983 and all related legislation, Derek Macnab be appointed as Electoral Registration Officer (ERO) for the Council with immediate effect with authority to appoint deputy or deputies as may be required;

- (4) That, in terms of Section 41 of the Local Government Act 1972 and all related legislation, and with immediate effect, Derek Macnab be appointed as Returning Officer for the Council, with authority to act in that capacity for elections to the District Council and all or any parish and town councils within the Epping Forest District. This appointment to continue until a further review of this position when a new chief executive was appointed by the Council;

- (5) That the Council's Returning Officer/Electoral Registration Officer be also appointed or authorised to act in respect of all related electoral, poll or referendum duties, including those in relation to County Council elections, elections to the European Parliament (if required), and for national and regional or local polls and referendums;

- (6) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment, the Returning Officer shall be entitled to be remunerated in accordance with scale of fees approved by the Council for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referendums;

- (7) That in all cases where it was a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable, and the

Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this could be done;

(8) That, in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council was entitled by law to do so, the Council shall take out and maintain in force insurance indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the accidental contravention of the Representation of the People Acts or other legislation governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially acting for him in connection with the election or poll); and

(9) That any such insurance carrying an 'excess' clause by which an initial portion of risk was not insured, the Council, through its internal insurance fund or otherwise, would indemnify the Returning Officer up to the value of such excess.

Other Officer Delegations

(10) That the proposed changes to the Council Scheme of Delegation reflecting changes to the Monitoring Officer, Returning Officer, Electoral Registration Officer and to the revised responsibilities of level 3 and 4 officers attached at Appendix 7 be approved;

(11) That consequential changes made by the Leader of the Council to the Scheme of Executive Delegation attached at Appendix 8 be noted;

(12) That the Monitoring Officer be granted authority to make changes to the Constitution, as required to reflect the new officer structure.

77. OVERVIEW AND SCRUTINY COMMITTEE

The Chairman of the Overview and Scrutiny Committee, Councillor M. Sartin reported that the Strategic Director, G. Blakemore had made a presentation on the Council's progress concerning the People Strategy. The Committee had also considered a report regarding a review of polling districts, polling places and polling stations; the Corporate Plan, Key Action Plan for 2018/19, which included quarter 2 progress; the various work programmes for the Committee and Select Committees; and progression for the Overview and Scrutiny Select Committee Framework review.

Furthermore, Councillor M. Sartin informed the Council that a Task and Finish Panel had been set up to consider the Overview and Scrutiny Select Committee Framework and members interested in participating would find details in the Members Bulletin or could contact Democratic Services directly.

78. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) The Council received a written report regarding One Epping Forest (Formally Local Strategic Partnership) from Councillor C. Whitbread. Councillor C.C. Pond enquired whether the Council had a full or part time member of staff supporting One

Epping Forest. Councillor C. Whitbread advised that John Houston was the Local Strategic Manager. Councillor J.H. Whitehouse asked whether the minutes of One Epping Forest could be published in the Members Bulletin and what was the 'Vibrant Partnerships'. Councillor C. Whitbread advised that the Vibrant Partnerships was a trading name for Lee Valley Leisure Trust, which was committed to running venues and leisure facilities to the serve the region's communities. He would consult on whether the minutes of the One Epping Forest meetings could be published in either in the Members Bulletin or by another means.

(b) Councillor J.H. Whitehouse asked for a report on the Green Arc Board. Councillor C. Whitbread advised that Councillor N. Bedford had been involved in this organisation and he would ask him to report back to the Council.

CHAIRMAN

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MEMBERS' ALLOWANCES SCHEME

EPHING FOREST DISTRICT COUNCIL - REMUNERATION AND EXPENSES SCHEME

The Epping Forest District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1990 and the Local Authorities (Members' Allowances) (England) Regulations 2001, hereby makes the following scheme:

1. Scheme

- 1.1 This scheme may be cited as the Epping Forest District Council Members' Allowance Scheme and shall have effect for the period from 24 May 2019 to 23 May 2020.

2. Definition

- 2.1 In this scheme:

"business mileage" means mileage incurred for journeys by Councillors between their homes and business venues or between the Civic Offices, Epping and business venues;

"Councillor" means a member of the Epping Forest District Council who is a Councillor;

"home to office mileage" means mileage incurred for journey by Councillors between their homes and the Civic Offices in Epping;

"independent person" means: (a) a member of the Standards Committee or the Remuneration Panel who is not an elected councillor; or (b) a co-opted member of an Overview and Scrutiny Committee or the Audit and Governance Committee who is not an elected councillor; and

"year" means the period ending with 26 May 2019.

3. Basic Allowance

- 3.1 Subject to Paragraph 7, £4,300 shall be paid to each Councillor. Payments are subject to deductions for tax and national insurance dependant on the circumstances of individual councillors.

4. Special Responsibility Allowances

- 4.1 For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the allowances specified in Schedule 1 to this scheme. Special responsibility allowances shall be calculated as multipliers of the Basic Allowance. There is no restriction on the number of separate SRA's which are payable to an individual member.
- 4.2 Subject to Paragraph 7, the amount of each allowance shall be the amount specified against that special responsibility in Schedule 1 for the year.
- 4.3 The Council has decided not to implement payment of the full Special Responsibility Allowance amounts and to restrict these to a percentage of each allowance as set out in an annual statement of implementation.

5. Travelling and Subsistence (including Cycle Allowance)

- 5.1 These expenses may be claimed by members of the Council in connection with the carrying out of approved duties specified in Schedules 2, 3 and 4 of this scheme.
- 5.2 Payments may be claimed up to the maximum casual user rate set for officers of the Council as adjusted annually by the National Joint Council for Local Government Services (travel expenses) and the East of England Regional Assembly (subsistence expenses).
- 5.3 Payment of home to office car mileage will be subject to deduction of tax and national insurance contributions, dependant on the circumstances of individual councillors. Business mileage incurred by councillors will not be subject to such deductions if the mileage rate claimed does not exceed 45 pence per mile.
- 5.4 Claims for the payment of business and/or home to office mileage may be made by members that have been driven to the approved duty giving rise to the claim, other than by way of taxi or other form of public transport, subject to the Council's usual checks and controls and the provision of appropriate VAT receipts.

6. Child Care and Dependant Carers' Allowances

- 6.1 The maximum rate for this allowance shall be set at a rate equivalent to the current National Living Wage.
- 6.2 A member of the Council or an independent person shall be eligible to claim up to four hours of the allowance for the performance of approved duties under this scheme and for the purpose of contributing to the cost of providing personal care to immediate dependants who are in need of care and supervision.
- 6.3 The rate applicable shall be subject to automatic increases on an annual basis in line with uprating of the National Living Wage.
- 6.4 The allowance is not payable in respect of carers who are members of the member's immediate and close family i.e. parents, children, spouses, co-habitees or members of the same household as the member.
- 6.5 All claims shall be subject to Audit checks and no claim in excess of the maximum level will be payable, whatever the circumstances.

7. Renunciation

- 7.1 A councillor or independent person may by notice in writing given to the Governance Manager, elect to forego any part of his/her entitlement to an allowance under this scheme.

8. Part-year Entitlements

- 8.1 The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

- 8.2 If an amendment to this scheme changes and the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the end of the year; and
 - (c) the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.
- 8.3 Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.
- 8.4 Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a councillor does not subsist throughout the period mentioned in such-paragraph (2)(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole of the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.
- 8.5 Where a councillor has during part of, but not throughout a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole of the same proportion as the number of days during which he/she has such special responsibilities, bears to the number of days in that year.
- 8.6 Where this scheme is amended as mentioned in sub-paragraph (2), and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

9. Claims and Payments

- 9.1 Payments shall be made in respect of basic and special responsibility allowances, subject to sub-paragraph (2), in instalments of one quarter of the amount specified in this scheme.
- 9.2 Where a payment of one-quarter of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which by virtue of paragraph 8(1), he or she is

entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

- 9.3 Claims must be made within a period of one year of the duty being carried out. Payments after that period will only be made in exceptional circumstances.

10. Uprating for Inflation

- 10.1 There will be no inflationary adjustment to the allowances set out in this scheme, except those relating to travel and subsistence.

11. Co-optees' Allowance

- 11.1 Co-optees' allowance will be payable to independent persons as set out in Schedule 5 to this scheme.

12. Withholding/Recovery of Payments

- 12.1 Where any councillor or independent member has already received a payment in respect of any period during which they have been:
- (a) ceased to be a member of the Authority; or
 - (b) not entitled in any other way to receive the allowance in respect of that period, the Council may require that such part of the allowance as relates to the period in question shall be repaid to the Authority.

13. Pensionable Status

- 13.1 Remuneration payable to councillors of Epping Forest District Council under this scheme shall only be entitled to pensionable status in accordance with a scheme made under Section 7 of the Superannuation Act 1972, if the member opted in to the Essex Superannuation Scheme before 1 April 2014.
- 13.2 For the purposes of a Paragraph 13.1 above basic allowance and special responsibility allowance will be treated as amounts in respect of which such pensions are payable in accordance with a scheme under that Act.
- 13.3 The Local Government Pension Scheme (LGPS) (Transitional Provisions, Savings and Amendment) Regulations 2014 removed access to the LGPS for Councillors from 1 April 2014, with the exception of those who were members of the Scheme on 31 March 2014, who retain access to the LGPS up to the end of their current term of office only (or to age 75 if earlier).

14. Further Guidance

- 14.1 Further guidance on this scheme can be found in Appendix 1.

SCHEDULE 1

SPECIAL RESPONSIBILITY ALLOWANCES

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

DUTY	ANNUAL TOTAL AMOUNT OF SRA
Chairman of the Council	£10,750.00
Vice-Chairman of the Council	
Leader of the Council	£10,750.00
Cabinet Members	£6,450.00 (each)
Chairman of the District Development Management Committee	£3,225.00
Chairmen of the Area Plans Sub-Committees	£3,225.00 (each)
Chairman of the Overview and Scrutiny Committee	£4,300.00
Chairman of the Licensing Committee	£500.00
Chairmen of the Licensing Sub-Committees	£2,225.00 (allocated according to the number of meetings chaired each year)
Chairman of the Audit and Governance Committee	£2,150.00
Chairmen of the Overview and Scrutiny Select Committees	£2,150.00 (each)
Chairman of the Standards Committee	£110.00 per meeting held each year
Chairman of the Constitution Working Group	£500.00

SCHEDULE 2

APPROVED DUTIES

1. The following are specified as an approved duty for the purpose of the payment of travelling and subsistence expenses, attendance at any of the following:
 - (a) a meeting of the authority, the Cabinet, a Cabinet Committee, the Overview and Scrutiny Committee and its Panels, the Standards Committee and its Sub-Committees, or as a member of any other Committee or sub-committee, panel, working group, special committee or board of the authority;
 - (b) any other meeting held by the authority provided that:
 - where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited; or
 - if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
 - (c) duties relating to the supervision of tender opening as required by the Council's Procurement Rules;
 - (d) attendance as representative of the Council at any approved conference or meeting of the outside organisations set out in Schedules 3 and 4;
 - (e) attendance at any meeting or other official function at the request of the Chief Executive, the Strategic Directors or a Service Director, including meetings between group representatives for a particular Committee and officers;
 - (f) any other duty approved by the Council or the Cabinet or any other committee, sub-committee, special committee or Board or Panel or any duty of a class so approved, for the purpose of, or in connection with, the discharge of functions or the body, or of any of its committees or sub-committees;
 - (g) attendance by a councillor at a meeting of which he or she is not a member for the purpose of explaining a motion referred from the Council;
 - (h) attendance as a councillor at the invitation of the Local Government Ombudsman for the purpose of investigating a complaint against this Council of maladministration;
 - (i) attendance as an appointed representative of Epping Forest District Council at any meeting of Essex County Council or any of its committees or sub-committees for the purpose of formal consultations on any matter affecting the powers or duties of this Council or the district or any part thereof;
 - (j) attendance on behalf of the Council or the Cabinet or as a Chairman on behalf of a Committee at an official function;
 - (k) attendance at seminars and training courses arranged by the authority;
 - (l) consultation meetings arranged by the authority where the member's attendance is required or where the business directly affects the member's ward;

- (m) site visits arranged by Area Plans Sub-Committees or the District Development Management Committee;
 - (n) informal site visits by individual councillors in respect of their duties as members of an Area Plans Sub-Committee;
 - (o) attendance at a meeting concerning joint working or partnership arrangements to represent the Council's interests; and
 - (p) attendance at any civic event to which the Chairman or Vice-Chairman is attending in that capacity (or representative) for which Council funded transport is not provided.
2. There is specified as an approved duty for the purpose of paying travelling and subsistence expenses attendance at any of the outside organisations shown in Schedule 4.
 3. Attendance by members of the Council at meetings of outside organisations not shown in Schedule 4 shall NOT qualify for payment of travelling and subsistence expenses.

SCHEDULE 3

CONFERENCE AND MEETINGS

Conference and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which does not involve an absence overnight from the councillor's normal place of residence.	Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rates whichever is the less if travel outside the Epping Forest District is required).
Conferences and meetings organised by any person or body who is not doing so by way of trade, nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which involves an absence from the councillor's normal place of residence of one or more nights.	Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rate whichever is the less if travelling outside the Epping Forest District is required).

SCHEDULE 4

OUTSIDE ORGANISATIONS

Attendance as appointed representative of the Council on any outside organisations, such attendances being deemed approved duty for the purpose of paying subsistence and travelling expenses.

SCHEDULE 5

CO-OPTEES' ALLOWANCE

Independent Persons affiliated to the Standards Committee	£500.00 per annum
Independent Members of the Remuneration Panel and Parish Remuneration Panel	£250.00 per annum
Co-opted members of the Audit and Governance Committee	£500.00 per annum
Co-opted independent members of an Overview and Scrutiny Committee	£500.00 per annum

MEMBER REMUNERATION SCHEME

**EPPING FOREST DISTRICT COUNCIL
GUIDANCE NOTE ON ALLOWANCES AND EXPENSES FOR MEMBERS**

1. INTRODUCTION

- 1.1 A Councillor is eligible for the payment of attendance allowances and for reimbursement of travel and subsistence expenses in respect of approved duties carried out on behalf of the Council. An approved duty is one which has been authorised by or on behalf of the Council in advance.
- 1.2 The Council has a formal scheme for allowances which is updated from time to time. A copy of the scheme is set out in the Constitution. This note is of a more informal nature and is designed to assist members in dealing with their claims and explaining the arrangements to the public.

2. BASIC ALLOWANCE

- 2.1 This is a flat rate allowance payable to all members of the Council. This annual amount is paid in quarterly instalments. Members do not have to claim this amount. The full amount of the Basic Allowance is £4,300.00 per member, per annum.
- 2.2 The Council requires each of its elected councillors to be registered as a data controller in accordance with the provisions of the Data Protection Act 2018. Although members are responsible for their individual compliance with the data protection principles of the General Data Protection Regulation, the Council coordinates the registration (and annual renewal) process on behalf of members and an amount of £40.00 is therefore withheld from the Basic Allowance each year to meet the registration fee imposed by the Information Commissioner.

3. SPECIAL RESPONSIBILITY ALLOWANCE

- 3.1 This is a special allowance payable to the Leader, Cabinet members and certain Chairmen. It is designed to reflect the additional responsibilities of these office holders. This amount is paid in quarterly instalments during the year and does not have to be claimed.
- 3.2 The Special Responsibility Allowance applicable to the chairmen of the Standards Committee and the Licensing Sub-Committees is applied on a 'per-meeting' basis and is paid in a single instalment at year-end.
- 3.3 The Council has decided not to implement payment of the full Special Responsibility Allowance amounts and to restrict these to a percentage of each allowance set out in the Scheme.

4. TRAVEL EXPENSES

- 4.1 Members may re-claim reasonable travel expenses (including public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties as defined in the scheme (Schedule 2).

Car Travel

- 4.2 The normal rates for car travel are the same as the higher rates paid to officers classed as casual users. Claims must be fixed on the rates applicable at the time of the journey. These rates are set out on the claim form and are reviewed annually.

Shortest Distance

- 4.3 Claims for car travel should be by reference to the shortest distance from home to the Council offices or other venue for the approved duty concerned. No claim for additional expenses will be entertained unless there is a valid reason for incurring the additional mileage.

Travel Direct from Place of Employment etc

- 4.4 For claims involving direct travel from a Councillor's place of employment (or other departure point) for an approved duty, the distance claims shall be limited to the home to meeting venue element of the journey. All such claims must be endorsed "CLAIM LIMITED" on the form.

Travel outside the District – Limit on Amount Claimable

- 4.5 For journeys to approved meetings outside the District or by members resident outside the district, claims irrespective of mode of travel must not exceed the lower of:
- (a) second class return rail fare plus underground and other fares from station to destination at each end of the journey; or
 - (b) the appropriate car mileage.
- 4.6 This is subject to consideration of any special circumstances as set out in 4.7 below.

Travel over Long Distances – Special Circumstances

- 4.7 If, for any reason, a councillor undertakes travel over long distances or from outside the District, members are advised to contact the Governance Manager in advance for advice on what would constitute a reasonable claim in the circumstances.

Use of Public Transport within Epping Forest District

- 4.8 The rate for travel by public transport must not exceed the ordinary fare (or any available cheap fare). A member may not claim travelling expenses in respect of a single duty from more than one body. In all such claims evidence of expenditure (i.e. tickets or other receipts) MUST be provided. No claim will be allowed without such evidence.

Cycle Allowance

- 4.9 This allowance is payable at the highest of the higher casual rates paid to officers classed as casual users.

Child and Dependant Carer's Allowance

- 4.10 This allowance may be claimed at a rate equivalent to the current rate for the National Living Wage. Certain conditions are set out in the Scheme.

5. SUBSISTENCE EXPENSES

- 5.1 Subsistence expenses (covering refreshments and meals etc paid for by a member) are claimable by councillor in respect of making attendances connected with approved duties on behalf of the Council. The rates for such expenses are set out (by reference to meal time and periods of absence) on the reverse of the form which is supplied to members on a quarterly basis. These rates may not be exceeded. Periods of absence will be calculated on the basis of departure from home or place of work if it is not possible to return home in the time available.
- 5.2 All claims for subsistence must be accompanied by receipts in respect of meals etc as evidence of expenditure actually having been incurred. No claims will be allowed in the absence of such evidence.
- 5.3 Special arrangements exist in respect of subsistence expenses in respect of duties involving an absence overnight from a councillor's normal place of residence. These are outlined under Section 7 relating to conferences.
- 5.4 A councillor may not claim subsistence expenses in respect of a single duty from more than one body.

6. CONFERENCES

- 6.1 Attendance at Conferences and payment of allowances and expenses are subject to prior approval by the Council, Cabinet, appropriate committee, Leader or Deputy Leader in all cases.
- 6.2 All conferences deemed to be approved duties shall, in accordance with statutory requirements, be relevant to the District and not wholly or partly commercial or political in their objectives.

Allowances for Attendance at Conferences (Involving an Absence from Home)

(a) Subsistence - Nights Away from Home

- 6.3 For conferences involving one or more night's absence, claims can be made for reasonable day or overnight expenses that are necessarily and exclusively incurred in the attendance as an authorised representative of the Council at a meeting, conference or seminar that it held outside of the Epping Forest District.

(b) Claims for Subsistence

- 6.4 These claims should cover such items as hotel bills, refreshments, meals (other than free meals which should be discounted) and similar items. No claims will be allowed unless evidence is provided of all expenditure being claimed. All relevant bills and receipts should be forwarded to the Governance Manager with claims.

Travel Claims

- 6.5 The guidance outlined under paragraph 4.5 will apply to all conferences.

7. TAXATION AND NATIONAL INSURANCE IMPLICATIONS

7.1 Details of the tax and national insurance implications of allowance payments and expenses claimed are available through Democratic Services. In such matters, members are advised to seek advice from their tax office in the event of any concerns.

7.2 Supplementary Note Regarding Treatment of Claims for Travel Expenses by Car for Tax and National Insurance Purposes.

(a) Travel by Car – Councillors’ Homes to Civic Offices Expenses (“Home to Office Mileage”)

7.3 Her Majesty’s Revenue and Customs (HMRC) deems a councillor’s workplace for the purposes of their role as an elected representative to be the Civic Offices, Epping. From April 2016, ‘Home to Office Mileage’ is no longer subject to tax and national insurance deductions, provided that the distance between a councillor’s home and the Civic Offices is no more than 20 miles.

7.4 If the upper rate of mileage is also claimed (any amount above 45p per mile) this part of the payment will be treated as a taxable benefit and national insurance will be deducted. A petrol/diesel VAT receipt will be required to be submitted with all claims before payment can be made, which must predate the first date of mileage on the submitted claim. The receipt must also be dated within a reasonable timeframe of the first journey for which a claim is made.

(b) Travel by Car – Councillors’ Homes to Other Venues or Civic Offices to Other Venues for the Purposes of Council Business (“Business Mileage”)

7.5 HMRC has determined that such travel shall not be subject to tax or national insurance deductions except where the rate of reimbursement exceeds 45 pence per mile. Travel to any meetings of the Council or its subordinate bodies which are held at a location other than the Civic Offices is deemed to be business mileage.

(c) Second Journeys

7.6 Second journeys will be subject to taxation and National Insurance deductions depending on whether the journey constitutes home to office or business mileage.

8. ALTERATION OF CLAIMS

8.1 All claim forms submitted by members are checked by Democratic Services. The Governance Manager is authorised to reduce incorrect claims in the following circumstances:

- (a) where a member does not attend at a claimed meeting;
- (b) where a claimed meeting is not approved;
- (c) where an incorrect amount of allowance is claimed; and
- (d) where a correct date has not been claimed.

8.2 Any changes under paragraph 8.1 will be notified to members after the claim form has been processed. Any other problems with members' claims will be referred back for the claimant and processing of the claim will not take place until the query has been clarified.

9. INTERPRETATION

- 9.1 These guidelines are subject to the overall interpretation of the Chief Executive as to what constitutes a reasonable claim in any individual circumstances.

10. DOCUMENT HISTORY

Prepared/Revised	Written by	Agreed/Authorised	Details of Change(s)
November 2015	S. Tautz (Democratic Services Manager)	Remuneration Panel (17/11/15) Council (15/12/15)	Review of Scheme for 2016/17 municipal year
October 2016	S. Tautz (Democratic Services Manager)	Remuneration Panel (28/9/16) Council (20/12/16)	Review of Scheme for 2017/18 municipal year
November 2017	S. Tautz (Democratic Services Manager)	Remuneration Panel (30/10/17) Council (21/12/17)	Review of Scheme for 2018/19 municipal year
November 2018	S. Tautz (Democratic Services Manager)	Remuneration Panel (29/11/18) Council (20/12/18)	Review of Scheme for 2019/20 municipal year

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SCHEME OF MEMBERS' ALLOWANCES - STATEMENT CONCERNING IMPLEMENTATION 2018/19

**The following scheme has been agreed for the period
from 24 May 2019 to 23 May 2020**

**The Council decided at its meeting on 21 December 2017 to implement the amount of
Basic, Special Responsibility and Co-optees Allowances provided in the scheme as
set out below:**

BASIC ALLOWANCE	ANNUAL BASIC ALLOWANCE	IMPLEMENTATION OF BASIC ALLOWANCE
All Councillors	£4,300.00	£4,300.00 (100%)

**The amounts set out below show the amounts of Special Responsibility Allowance
(SRA) payable during the year:**

DUTY	ANNUAL SPECIAL RESPONSIBILITY ALLOWANCE	IMPLEMENTATION OF SPECIAL RESPONSIBILITY ALLOWANCE
Chairman of the Council	£10,750.00 (total)	£8,600.00 (80%)
Vice-Chairman of the Council		£2,150.00 (20%)
Leader of the Council	£10,750.00	£7,875.00 (73%)
Cabinet members	£6,450.00 (each)	£6,300.00 (98%)
Chairman of the District Development Management Committee	£3,225.00	£2,362.00 (73%)
Chairmen of the Area Plans Sub-Committees	£3,225.00	£2,362.00 (73%)
Chairman of the Overview and Scrutiny Committee	£4,300.00	£3,150.00 (73%)

Chairman of the Licensing Committee	£500.00	£500.00
Chairmen of the Licensing Sub-Committees	£2,725.00 (allocated according to the number of meetings each year)	£1,862.00 (allocated according to the number of meetings each year) (73%)
Chairman of the Audit and Governance Committee	£2,150.00	£2,150.00
Chairmen of the Overview and Scrutiny Select Committees	£2,150.00	£2,150.00 (each)
Chairman of the Standards Committee	£110.00 (per meeting)	£110.00 (per meeting)
Chairman of the Constitution Working Group	£500.00	£500.00

The amounts payable during the year for independent and co-opted members are:

Independent Persons affiliated to the Standards Committee	£500.00
Independent Members of the Remuneration Panel and Parish Remuneration Panel	£250.00
Co-opted members of the Audit and Governance Committee	£500.00
Co-opted independent members of an Overview and Scrutiny Committee	£500.00

A copy of the full scheme is available on request from Democratic Services, Civic Offices, High Street, Epping, CM16 4BZ.

Anti-Fraud and Corruption Strategy

November 2018



Epping Forest District Council

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Anti-Fraud and Corruption Policy

Epping Forest District Council (EFDC) is committed to high legal, ethical and moral standards, and the proper accountability of public funds.

The Council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Council.

The Council's expectation of propriety and accountability is that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

The Council also expects that individuals and organisations with which it comes into contact will act towards the Council with integrity.

The key controls in place to reduce the likelihood of fraud and corruption are:

- The Council has an effective anti-fraud and corruption policy and maintains a culture that will not tolerate fraud or corruption
- All Members and staff act with integrity and lead by example
- Senior managers are required to deal swiftly and firmly with those who defraud or attempt to defraud the authority or who are corrupt
- High standards of conduct are promoted amongst Members by the Standards Committee
- The maintenance of a register of interests in which any hospitality or gifts offered which are accepted or refused must be recorded
- Confidential reporting procedures are in place and operate effectively
- Legislation including the Public Interest Disclosure Act 1998 is adhered to
- Standard contract clauses prohibit fraud and corruption

Additionally, the Council:

- Maintains a Corporate Fraud Team which plays a key role in both the prevention and investigation of matters relating to suspected fraud, corruption and abuse of council services and property.
- Uses the Internal Audit Service as an independent appraisal function for the review of the Council's internal control system as a contribution to the proper, economic, efficient and effective use of resources
- Recognises the importance of criminal prosecution in deterring fraud and will seek to prosecute offenders where appropriate
- Supports the work of the police and other external agencies in fighting fraud and corruption in the public sector.

- Is a member of the National Anti-Fraud Network (NAFN), and
- Participates in the National Fraud Initiative, which is the Cabinet Office's biennial data matching exercise designed to combat fraud.

This policy applies to suspected fraud and corruption, which concerns EFDC, involving employees, Members and/or external parties unless the matter is more properly a matter for the Police. Any investigation required will be conducted without regard to any person's relationship to EFDC, position or length of service.

Section One

Introduction

EFDC aims to provide community leadership and quality services. This strategy document embodies a series of measures designed to frustrate any attempted fraudulent or corrupt act and the steps to be taken if such an act occurs.

In applying this strategy regard will be had to all relevant EFDC policies and any obligations as an employer and the requirements of the Code of Conduct for Local Government Employees.

The Chartered Institute of Public Finance and Accountancy (CIPFA) defines fraud and corruption as:

Fraud – *“the intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain”.*

In addition, fraud can be defined as *“the intentional distortion of financial statements or other records by persons internal or external to the authority, which is carried out to mislead or misrepresent”.*

Corruption – *“the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person”.*

The Fraud Act 2006 created the following specific criminal offences surrounding fraud:

- Fraud by False Representation
- Fraud by Failing to Disclose Information (where there is a legal duty to do so)
- Fraud by Abuse of Position
- Obtaining services dishonestly
- Possession of Articles for use in fraud
- Making or Supplying Articles for use in fraud

This policy strongly advocates the following four key principles in the Council's approach to combatting fraud and corruption, namely:

- **Culture** – The ongoing process of maintaining and developing a “top to bottom” anti fraud and corruption culture throughout the organisation focusing not just on employees, but Members, suppliers, contractors and the public also. This includes risk management processes, fraud/corruption proofing policy and processes, fraud and corruption awareness.
- **Prevention** – Ensuring that a range of anti-fraud and corruption measures are deployed throughout the Council such as internal audits, fraud aware sessions, staff and supplier vetting, participation in the National Fraud Initiative and the pan-Essex council tax matching campaign, staff and Member code of conduct and declarations of interest, information security and IT policies. etc.
- **Detection and Investigation** – Where fraud and / or corruption is suspected, the Council must ensure that investigations are carried out by professional and qualified investigators to the highest standards of fairness and probity, having due regard to the appropriate legislation at all times.
- **Deterrence** – In the event of fraud and / or corruption being discovered, the Council must take appropriate steps to ensure that further instances do not occur by utilising methods such as criminal prosecution, disciplinary action, etc. The Council will also seek to obtain financial redress where public money has been lost by utilising The Proceeds of Crime Act wherever appropriate.

Section Two

Culture

EFDC will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Council. Fraud risk is considered as part of the Authority's overall risk management strategy.

The prevention and detection of fraud and corruption, and the protection of the public purse is everyone's responsibility.

The Members and employees play an important role in creating and maintaining this culture. They are positively encouraged to raise concerns regarding fraud and corruption, irrespective of seniority or status, in the knowledge that such concerns will, wherever possible, be treated in confidence. In order to make sure this occurs; the Council has and maintains a separate Whistleblowing Policy.

Members, employees or contractors are encouraged to raise concerns in line with the fraud response plan (section 8) if they reasonably believe that one or more of the following has occurred, is in the process of occurring or is likely to occur:

- a criminal offence
- a failure to comply with a statutory or legal obligation
- improper unauthorised use of public or other funds
- improper use or misappropriation of assets
- a miscarriage of justice
- maladministration, misconduct or malpractice
- any other similar occurrences
- deliberate concealment of any of the above.

Management Board will ensure that any allegations received in any way, including anonymous letters or phone calls, will be taken seriously and investigated in an appropriate manner, subject to legislative requirements.

The Council has agreed the provision of a Corporate Fraud Team in order to bring a uniform approach to fraud investigation and to adequately resource the detection and prevention of fraud.

The Corporate Fraud Team (CFT) investigate matters of suspected fraud, theft and corruption within EFDC (except for Housing Benefit fraud investigation which transferred to the Department for Work and Pensions). The CFT will, as one of its key operating principles also seek to maintain an anti-fraud and corruption culture by engaging staff, Members and the general public by way of fraud awareness sessions and seeking to publicise its successes both internally and externally.

EFDC will deal firmly with those who defraud the Council, or who are corrupt, or who are responsible for financial malpractice.

When fraud or corruption has occurred because of a breakdown in the Council's systems or procedures, the Corporate Governance Group in conjunction with the Corporate Fraud Team and Internal Audit will ensure that appropriate improvements in systems of control are implemented to prevent a recurrence.

Section Three

Prevention

It is important that the Council recognises and manages the risks relating to fraud and corruption in order to prevent them from occurring. Furthermore, it is imperative that these risks are routinely considered as part of the Council's overall approach to risk management. In order to understand the nature of these risks, the following have been identified as key issues that are relevant to EFDC:

- Social Housing Tenancy Fraud – this includes risks such as fraudulent housing applications, mutual exchanges, illegal subletting etc.
- The Right to Buy scheme – fraudulent applications and suspected money laundering
- Money Laundering – Exposure to suspect transactions
- Council Tax – fraudulently claimed discounts (including Local Council Tax Support), refund scams
- Non-Domestic Rates – fraudulent applications for exemptions, unlisted properties
- Grants (including Disabled Facilities Grants) – false eligibility and applications, diverted funds, works not carried out.
- Insurance Fraud – suspected false claims particularly those relating to personal injury
- Planning Fraud – risk of manipulation, collusion and potential conflicts of interest
- No recourse to public funds – fraudulent eligibility for Council services such as Social Housing
- Payroll Fraud – false and “ghost” employees, overtime and mileage claims, expenses.
- Internal Frauds – such as fund diversion, accepting bribes, stealing monies and / or Council property, social housing misallocations for personal gain, working elsewhere whilst off sick, abuse of position such as misuse of assets / resources.
- Procurement Fraud – tendering issues, split contracts, double invoicing
- Cyber Crime / Fraud – frauds such as false applications for services, fund diversion.

It is important to note that the above represents the key fraud risk areas and examples of each. It is not intended to be an exhaustive list.

As with the culture, the concept of fraud prevention applies to the organisation from top to bottom.

The United Kingdom Anti-Corruption Strategy 2017-22 sets out a long term framework for tackling corruption. For local government, including Epping Forest District Council, this sets out the following goals:

- Greater procurement transparency, enabling better identification and mitigation of corruption risks.
- Strengthened awareness and capability within contracting authorities leading to a stronger awareness of corruption risks and more capability to detect and deter illegality.

Members

As elected representatives, all Members of the Council must act in accordance with statutory requirements and the Members' Code of Conduct. These matters and other guidance are specifically brought to the attention of Members at the induction course for new Members and include rules on the declaration and registration of potential areas of conflict between Members' Council duties and responsibilities, and any other areas of their personal or professional lives.

Members sign to the effect that they have read, understood and will comply with the Member's Code of Conduct when they take office. The Monitoring Officer advises Members of new legislative or procedural requirements.

Managers

Managers at all levels are responsible for the communication and implementation of this policy in their work area. They are also responsible for ensuring that staff are aware of the Council's Financial Regulations and Procurement Rules, and that the requirements of each are being met in their everyday business activities. In addition, managers must make sure their staff are aware of the requirements of the Officers' Code of Conduct through the induction process and regular reminders

Managers are expected to strive to create an environment in which their staff feel able to approach them with any concerns they may have about suspected irregularities. Where they are unsure of the procedures, they must refer to the information in the Whistleblowing Policy, which is accessible to all staff via the intranet. Managers should also periodically review complaints as this may be an indication of potential fraud.

Special arrangements will apply where employees are responsible for cash handling or are in charge of financial systems and systems that generate payments, for example payroll, the integrated benefits computer system or council tax. Managers must ensure that relevant training is provided for staff. Checks must be carried out at least annually to ensure that proper procedures are being followed.

The Council recognises that a key preventative measure in dealing with fraud and corruption is for managers to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees, whether for permanent, temporary or casual posts.

The Council has a formal recruitment procedure, which contains appropriate safeguards on matters such as written references and verifying qualifications held.

As with other public bodies, police checks are undertaken on employees working with children.

Further checks will be introduced in areas where an increased risk of potential fraud and corruption has been identified (for example, positions whereby a professional qualification is essential).

Human Resources will keep under review the checks that legislation allows.

Employees

Each employee is governed in their work by the Council's Procurement Rules and Financial Regulations, the Officer Code of Conduct and various policies. Guidelines on gifts and hospitality, and codes of conduct associated with professional and personal conduct and disclosure of interests are contained within the Staff Handbook, which is available to all staff via the corporate intranet.

Employees are responsible for ensuring that they follow the instructions given to them by management, particularly in relation to the safekeeping of the assets of the Authority. These will be included in induction training and procedure manuals. Employees are expected always to be aware of the possibility that fraud, corruption or theft may exist in the workplace and be able to share their concerns with management. If for any reason, they feel unable to speak to their manager, they can relay their suspicions to either the Chief Internal Auditor or the Corporate Fraud Manager. Employees can also avail themselves of the Whistleblowing Policy readily available on the intranet alongside the Council's safeguarding and gifts and hospitality policies

Conflicts of Interest

Both Members and employees must ensure that they avoid situations where there is a potential for a conflict of interests. Such situations can arise with externalisation of services, partnering arrangements, internal tendering, planning and land issues, etc. Effective role separation will ensure decisions made are, and are seen to be made, based upon impartial advice thereby avoiding improper disclosure of confidential information. Since 2017, the Performance Development Review process requires employees to annually confirm their position regarding any potential conflicts of interest.

Official Guidance

In addition to Financial Regulations and the Procurement Rules, Services will have their own procedures to prevent and detect fraud. There may also be audit reports that recommend methods to minimise losses to the Council. Staff must be made aware of these various sources of guidance and alter their working practices accordingly.

Role of the Corporate Fraud Team

The Corporate Fraud Team role is in both the prevention and investigation of instances of suspected fraud against the Council. Fraud awareness training is given to officers within the Council to assist in ensuring that any cases referred to the team contain good quality information to assist with the investigation. All investigations are carried out in accordance with the respective legislation.

In cases where the offence is deliberate and serious enough to warrant prosecution, consideration will be given to the Council's fraud prosecution / sanction policy. If deemed appropriate legal proceedings will be undertaken in conjunction with Legal Services and / or other bodies such as the Police.

Utilising the provisions of Section 222 of The Local Government Act 1972, the Corporate Fraud Team in conjunction with Legal Services are appropriately authorised to undertake investigations and criminal prosecutions into cases of fraud and corruption that involve the Council.

The Role of Internal Audit

Internal Audit plays a vital preventative role in trying to ensure that systems and procedures are in place to prevent and detect fraud and corruption. They liaise with management to recommend changes in procedures to prevent potential or further losses to the Council. Internal Audit works closely in conjunction with the Corporate Fraud Team.

The Role of External Audit

Independent external audit is an essential safeguard in the stewardship of public money. This role is delivered through the carrying out of specific reviews that are designed to test (amongst other things) the adequacy of the Council's financial systems, and arrangements for preventing and detecting fraud and corruption. It is not the external auditor's function to prevent fraud and irregularity, but the integrity of public funds is at all times a matter of general concern. External auditors are always alert to the possibility of fraud and irregularity, and will act without undue delay if grounds for suspicion come to their notice. The external auditor has a responsibility to review the Council's arrangements to prevent and detect fraud and irregularity, and arrangements designed to limit the opportunity for corrupt practices.

Co-operation with Others

The Corporate Fraud Team and Internal Audit have arranged (subject to legislative requirements regarding data sharing) and will keep under review procedures and arrangements to develop and encourage the exchange of information on national and local fraud and corruption activity in relation to local authorities with external agencies such as:

- Police
- County, Unitary and District groups
- External Audit
- Government departments
- National bodies such as The National Fraud Intelligence Bureau, Action Fraud etc.

Section Four

Detection and Investigation

The Corporate Fraud Team and Internal Audit play an important role in the detection of fraud and corruption. Included in their respective business plans are reviews of system financial controls and specific fraud and corruption tests, spot checks and unannounced visits.

In addition to Internal Audit, there are numerous systems controls in place to deter fraud and corruption, but it is often the vigilance of employees and members of the public that aids detection.

In some cases, frauds are discovered by chance or 'tip-off' and arrangements are in place to deal with such information properly.

All suspected irregularities are required to be reported (orally or in writing) either by the person with whom the initial concern was raised or by the originator, as detailed in the Council's Whistleblowing Policy. This will:

- ensure the consistent treatment of information regarding fraud and corruption
- facilitate a proper and thorough investigation by an investigator from the Corporate Fraud Team in accordance with the requirements of current legislation. Should a member of the Corporate Fraud Team be implicated or the subject of an investigation, either the Chief Internal Auditor or Monitoring Officer will provide a suitable, qualified investigator.

This process will apply to all the following areas:

- a) fraud/corruption by Members
- b) fraud/corruption by Council employees
- c) fraud/corruption by contractors' employees
- d) fraud/corruption by the public/ external parties

In most cases of reported fraud and / or corruption, any allegation or suspicion will, in the first instance be investigated by the Corporate Fraud Team. Depending on the nature of the case, the CFT may consider undertaking joint investigations with other relevant parties (such as other Local Authorities, Government Departments, and the Police etc.).

Alternatively, the CFT may, in some cases, refer the investigation on to another investigating body if more appropriate to do so.

Any decision to refer a matter to the police will be taken by the Chief Executive in consultation with the Monitoring Officer, the s151 Officer, the Director of the responsible service and the Corporate Fraud Manager / Chief Internal Auditor however any investigation whereby financial impropriety is discovered, will be dealt with, normally, in the first instance by the Corporate Fraud Team. However, the mere fact that a Corporate Fraud Team and / or police investigation leads to them taking no further action will not compromise any private action/procedure or investigation that the Council may pursue.

The Council's disciplinary procedure will be used to facilitate a thorough investigation of any allegation of improper behaviour by employees. Decisions to refer potential criminal activity by a Member to the Police will be taken by the Monitoring Officer in consultation with the Chief Executive and s151 Officer.

If a Member is suspected of the specific offence of failing to disclose a Disclosable Pecuniary Interest as defined by the Localism Act 2011 the decision to refer the matter to the Police will be taken by the Monitoring Officer.

Section Five

Deterrence

Criminal Prosecution

In order to strike the correct balance taking into account punishment and deterrence, the Council will undertake criminal prosecutions where it is considered evidentially appropriate and in the public interest. A corporate policy will be developed taking account of legal guidelines, to encompass the public, Members, contractors and employees. It is designed to clarify the Authority's action in specific cases and to deter others from committing offences against the authority. However, it also recognises that it may not always be in the public interest to refer cases for criminal proceedings and will seek to always take a fair and balanced view on each matter according to each case's particular merits.

Disciplinary Action

Theft, fraud and corruption are serious offences against the Council and employees will face disciplinary action if there is evidence that they have been involved in these activities. Disciplinary action may be taken in addition to, or instead of, criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner.

Members will face appropriate action under this strategy if they are found to have been involved in theft, fraud or corruption against the Council. Action may be taken in addition to, or instead of, criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner.

This aspect of the policy is to be read in conjunction with the powers of the Standards Committee, the delegated powers of the Monitoring Officer and the adopted Code of Conduct.

Publicity

The Council will optimise the publicity opportunities associated with anti-fraud and corruption activity within the Council. As a matter of course, a press release will be drafted following any successful criminal prosecution and passed to Public Relations (PR) in order for them to ensure that the results of any action taken, are reported positively in the media. This will be particularly relevant where a financial loss to the Council has occurred and any action taken to recover any such losses will also be promoted.

Provision will also be made for publicity to be taken for any such cases whereby details cannot be made public (for example: where formal cautions and / or financial penalties are utilised). In these cases, any press release will contain the pertinent details but will not identify individuals by name.

From time to time, the Council may be approached by the media such as television, radio etc. in order to provide content regarding anti-fraud and corruption activities. It is acknowledged that this type of media publicity can be extremely useful in promoting anti-fraud and corruption activities and as a tool for deterrence. Should such approaches be received, they are to be considered on a case by case basis with the involvement of both PR and Corporate Governance Group at the earliest opportunity.

All anti-fraud and corruption activities, including the update of this strategy, will be publicised in order to make employees and the public aware of the Council's commitment to taking action on fraud and corruption when it occurs.

Regular reports will be made to the Audit and Governance Committee, about countering fraud and corruption activities and their success or otherwise.

Section Six

Anti-Bribery Policy

Objective of this policy

This policy provides a coherent and consistent framework to enable Epping Forest District Council (EFDC) Members and employees to understand and implement arrangements enabling compliance. In conjunction with related policies and key documents it will also enable Members and employees to identify and effectively report a potential breach.

We require that Members and all staff, including those permanently employed, temporary agency staff and contractors:

- act honestly and with integrity at all times and safeguard the organisation's resources for which they are responsible
- comply with the spirit, as well as the letter, of the laws and regulations of all jurisdictions in which the Council operates, in respect of the lawful and responsible conduct of activities.

Scope of this policy

This policy applies to all of the Council's activities. For partners, joint ventures, agents and suppliers, we will seek to promote the adoption of policies consistent with the principles set out in this policy.

Within the Council, the responsibility to control the risk of bribery occurring resides at all levels of the Council. It does not rest solely within assurance functions, but in all business units and corporate functions.

This policy covers all staff, including all levels and grades, those permanently employed, temporary agency staff, contractors, agents, elected Members, co-opted members of the public, volunteers and consultants.

The Council's commitment to action

The Council commits to:

- Setting out a clear anti-bribery policy and keeping it up to date
- Making all Members and employees aware of their responsibilities to adhere strictly to this policy at all times
- Raising awareness and where appropriate offer training so all Members and employees can recognise and avoid the use of bribery by themselves and others
- Encouraging its Members and employees to be vigilant and to report any suspicions of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately

- Rigorously investigating instances of alleged bribery and assisting police and other appropriate authorities in any resultant prosecution
- Taking firm and vigorous action against any individual(s) involved in bribery
- Provide information to all Members and employees to report breaches and suspected breaches of this policy
- Include appropriate clauses in contracts to prevent bribery.

Facilitation payments

Facilitation payments are not tolerated and are illegal. Facilitation payments are unofficial payments made to public officials in order to secure or expedite actions.

Gifts and hospitality

This policy does not change the requirements of our gifts and hospitality policy. This makes it clear that:

Sample tokens of modest value (for example, pens, diaries or calendars) whether given personally, or received in the post, may be retained unless they could be regarded as an inducement or reward.

You should refuse the offer or invitation (or return the gift) unless your Service Director has advised you that it may be accepted or retained.

Public contracts and failure to prevent bribery

One of the main changes introduced by the Public Contracts Regulations 2015 is that a company will no longer face permanent debarment (referred to as an 'exclusion' in the 2015 Regulations) from bidding for public contracts following a corporate conviction for certain economic crimes. Instead, a company will face a period of debarment and will be able to recover eligibility to bid for public contracts if it has undergone a 'self-cleaning' process.

Member and Staff responsibilities

All Members and staff are required to avoid activity that breaches this policy. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the Council or under its control.

Members and staff must:

- ensure that they read, understand and comply with this policy
- raise concerns as soon as possible if they believe or suspect that a conflict with this policy has occurred, or may occur in the future.

Staff

As well as the possibility of civil action and criminal prosecution, staff who breach this policy may face disciplinary action, which could result in summary dismissal for gross misconduct. Dismissal can still be an outcome with or without civil action or criminal prosecution.

Members

The Member Code of Conduct requires that where a Member acts as a representative of the Council he or she must not use or attempt to use their position as a Member improperly to confer on or secure for themselves or any other person, an advantage or disadvantage.

Allegations against a Member for breach will be routed through the Standards complaints process administered by the Monitoring Officer.

Raising a concern

This Council is committed to ensuring that all of us have a safe, reliable, and confidential way of reporting any suspicious activity. We want Members and each and every member of staff to know how they can raise concerns.

We all have a responsibility to help detect, prevent and report instances of bribery. If you have a concern regarding a suspected instance of bribery or corruption, please speak up – your information and assistance will help. The sooner you act, the sooner it can be resolved.

Preferably the disclosure will be made and resolved internally (e.g. to your Section Manager/Service Director). Secondly, where internal disclosure proves inappropriate, concerns can be raised with the External Auditor or relevant professional bodies or regulatory organisations.

Concerns can be reported anonymously. In the event that an incident of bribery is reported, we will act as soon as possible to evaluate the situation. We have a clearly defined Anti Fraud and Corruption Strategy which sets out procedures for investigating fraud, misconduct and non-compliance issues and these will be followed in any investigation of this kind.

Members and staff who refuse to accept a bribe, or those who raise concerns can understandably be worried about the repercussions. The Council aims to encourage openness and will support anyone who raises a genuine concern in good faith under this policy, even if they turn out to be mistaken.

The Council is committed to ensuring nobody suffers detrimental treatment through refusing to take part in bribery, or because of reporting a concern in good faith.

Section Seven

Anti-Money Laundering Policy

Introduction

Although local authorities are not directly covered by the requirements of the Money Laundering Regulations 2007, guidance from CIPFA indicates that they should comply with the underlying spirit of the legislation and regulations.

Epping Forest District Council is committed to the highest possible standards of conduct and has, therefore, put in place appropriate and proportionate anti-money laundering safeguards and reporting arrangements.

Scope of the Policy

This policy applies to all employees and contractors, whether permanent or temporary, and Members of the Council.

Its aim is to enable employees and Members to respond to a concern they have in the course of their dealings for the Council. Individuals who have a concern relating to a matter outside work should contact the Police.

Definition of Money Laundering

The most common motive for crime is financial gain or to obtain valuable property. Whenever criminals do anything with that financial gain or criminal property, they 'launder' it. Money laundering offences are serious; they carry sentences of up to 14 years imprisonment, but criminals and their associates still commit them every day.

Money laundering is the process by which criminals try to hide the origin of the proceeds of their crimes, making it look as if those proceeds were acquired legitimately. In doing so, criminal property obtained unlawfully is turned into property or money that can be accessed via legitimate methods without arousing suspicion. In other words, 'laundering' is the process of turning 'dirty' money into 'clean' money.

Money laundering has three distinct phases. They are:

- Placement; the movement of criminally-obtained money into the wider economy;
- Layering; undertaking transactions (perhaps bogus) to conceal the origin of the money; and
- Integration; making it look as if money has come from a legitimate source.

Two distinct offences affect employees, contractors and Members of the Council

- Failure to disclose one of the offences listed above, where there are reasonable grounds for knowledge or suspicion.
- Tipping off a person(s) who is or is suspected of being involved in money laundering in such a way as to reduce the likelihood of or prejudice an investigation.

Although the term 'money laundering' is generally used to describe the activities of organised crime, for most people it will involve a suspicion that someone they know, or know of, is benefiting financially from dishonest activities.

Successful money laundering means criminals can enjoy the fruits of their

criminality and fund further criminal activity. Stopping money laundering disrupts organised crime by removing the life-blood of the 'business' and prevents low level criminals from moving up into major level crime.

Requirements of the Money Laundering Legislation

The main requirements of the legislation are:

- To appoint a money laundering reporting officer.
- Maintain client identification procedures known as know your customer (KYC) and know your business (KYB).
- Implement a procedure to enable the reporting of suspicions of money laundering.
- Maintain record keeping procedures.

The Money Laundering Reporting Officer (MLRO)

The Council must appoint an MLRO to act as the focal point within the organisation for money laundering matters. The MLRO is responsible for:

- receiving disclosures from other staff; and
- deciding whether disclosures should be passed on to NCA.

The MLRO must keep copies of all disclosures received by them, notes of action taken and copies of all correspondence with NCA and other agencies.

Identifying and disclosing suspicious transactions

Epping Forest District Council will consider the threats to Council being used by money launderers and put systems in place to guard against them. Policies and procedures should be laid out clearly so that all relevant staff understand and have access to them.

The officer nominated to receive disclosures about money laundering activity within the Council is the Section 151 Officer Peter Maddock. He can be contacted as follows:

Peter Maddock - Section 151 Officer
Civic Offices
Epping
Essex
CM16 4BZ

Telephone: 01992 564602.
Email: pmaddock@eppingforestdc.gov.uk

In the absence of the MLRO, the deputy MLRO (also the deputy Section 151 Officer) should be contacted in their absence, telephone number 01992 564387 or by email at jbelle@eppingforestdc.gov.uk

All suspicions should be reported directly to the MLRO or his deputy using the

relevant documentation.

Client Identification Procedures

Although not a legal requirement, the Council has developed formal client identification procedures which must be followed when Council land or property is being sold. These procedures require individuals and if appropriate, companies to provide proof of identity and current address (KYC).

All verification documents are capable of being forged and can be bought over the internet. For this reason, industry guidance usually recommends face-to-face meetings with new clients. Excuses for non-attendance and excuses for missing documents should be explored and treated with some scepticism.

If satisfactory evidence is not obtained at the outset of a matter, then the transaction must not be progressed and a disclosure report must be submitted to the Money Laundering Reporting Officer.

All personal data must be collected, kept or destroyed in compliance with the General Data Protection Regulation and The Data Protection Act 2018.

Reporting Procedure for Suspicions of Money Laundering

Where you know or suspect that money laundering activity is taking/has taken place, or become concerned that your involvement in a matter may amount to a prohibited act under the Act, you must disclose this as soon as practicable to the MLRO. The disclosure should be within "hours" of the information coming to your attention, not weeks or months later.

Your disclosure should be made to the MLRO using the disclosure report; the report must include as much detail as possible including

- Full details of the people involved
- Full details of the nature of their/your involvement.
- The types of money laundering activity involved
- The dates of such activities
- Whether the transactions have happened, are ongoing or are imminent;
- Where they took place;
- How they were undertaken;
- The (likely) amount of money/assets involved;
- Why, exactly, you are suspicious.

Along with any other available information to enable the MLRO to make a sound judgment as to whether there are reasonable grounds for knowledge or suspicion of money laundering and to enable him to prepare his report to the National Crime Agency (NCA), where appropriate. You should also enclose copies of any relevant supporting documentation.

Once you have reported the matter to the MLRO you must follow any directions he may give you. You must NOT make any further enquiries into the matter yourself: any necessary investigation will be undertaken by the NCA. Simply report your suspicions to the MLRO who will refer the matter on to the NCA if appropriate. All members of staff will be required to co-operate with the MLRO and the authorities during any subsequent money laundering investigation.

Similarly, at no time and under no circumstances should you voice any suspicions to the person(s) whom you suspect of money laundering, even if the NCA has given consent to a particular transaction proceeding, without the specific consent of the MLRO; otherwise you may commit a criminal offence of “tipping off”.

Do not, therefore, make any reference on a client file to a report having been made to the MLRO – should the client exercise their right to see the file, then such a note will obviously tip them off to the report having been made and may render you liable to prosecution. The MLRO will keep the appropriate records in a confidential manner.

Consideration of the disclosure by the Money Laundering Reporting Officer

Upon receipt of a disclosure report, the MLRO must note the date of receipt on his section of the report and acknowledge receipt of it. He should also advise you of the timescale within which he expects to respond to you.

The MLRO will consider the report and any other available internal information he thinks relevant e.g.:

- reviewing other transaction patterns and volumes;
- the length of any business relationship involved;
- the number of any one-off transactions and linked one-off transactions;
- any identification evidence held;

And undertake such other reasonable inquiries he thinks appropriate in order to ensure that all available information is taken into account in deciding whether a report to the NCA is required (such enquiries being made in such a way as to avoid any appearance of tipping off those involved). The MLRO may also need to discuss the report with you.

Once the MLRO has evaluated the disclosure report and any other relevant information, he must make a timely determination as to whether:

- there is actual or suspected money laundering taking place; or
- there are reasonable grounds to know or suspect that is the case; and
- whether he needs to seek consent from the NCA for a particular transaction to proceed.

Where the MLRO does so conclude, then he must disclose the matter as soon as practicable to the NCA on their standard report form and in the prescribed manner, unless he has a reasonable excuse for non-disclosure to the NCA (for example, if you are a lawyer and you wish to claim legal professional privilege for not disclosing the information).

Where the MLRO suspects money laundering but has a reasonable excuse for non-disclosure, then he must note the report accordingly; he can then immediately give his consent for any ongoing or imminent transactions to proceed.

In cases where legal professional privilege may apply, the MLRO must seek independent legal advice or consult with an Accredited Financial Investigator to decide whether there is a reasonable excuse for not reporting the matter to the NCA.

All disclosure reports referred to the MLRO and reports made by him to the NCA must be retained by the MLRO in a confidential file kept for that purpose, for a minimum of five years.

The MLRO commits a criminal offence if he knows or suspects, or has reasonable grounds to do so, through a disclosure being made to him, that another person is engaged in money laundering and he does not disclose this as soon as practicable to the NCA.

Training

Officers considered likely to be exposed to suspicious situations, will be made aware of these by their senior officer and provided with appropriate training.

Additionally, all employees and Members will be familiarised with the legal and regulatory requirements relating to money laundering and how they affect both the Council and themselves.

Notwithstanding the paragraphs above, it is the duty of officers and Members to report all suspicious transactions whether they have received their training or not.

Section 8

Epping Forest District Council Fraud Response Plan

Introduction

The Fraud Response Plan defines the way in which the Council applies its various policies and procedures to suspected instances of theft, fraud corruption and bribery. It fits in with, and is designed to be read in conjunction with the Council's Anti Fraud and Corruption Policy, Anti-Bribery Policy, Anti Money Laundering Policy and the Whistleblowing / Confidential Reporting Policy. The aim of this plan is to provide clear guidance for dealing with these issues, access to rapid relevant advice and a guide for managers on how to react and deal with suspicions of fraud, theft, corruption and bribery.

Additionally, it seeks to give a brief outline on how investigations will be progressed (although no detail will be given regarding investigation techniques etc.).

The Fraud Response Plan is designed to ensure timely and effective action in the event of suspected fraud by:

- Seeking to minimise the extent of the fraud by taking prompt action
- Preventing further losses where fraud had occurred.
- Maximising the recovery (or the chances of recovering) any financial losses
- Ensuring the accuracy and integrity of evidence for successful criminal prosecution and / or disciplinary action
- The early identification of any system weaknesses and the lessons to be learnt for preventing them in the future
- Maximising positive publicity where frauds are discovered and dealt with.
- Deterring others from any illegal / inappropriate conduct they may be committing or contemplating.

The Manager's Role in dealing with suspected fraud

First Response

Where managers suspect a fraud or involvement in a fraud is taking place, the first course of action must be to contact the Section 151 Officer, Chief Internal Auditor or the Corporate Fraud Manager who will ensure that the Section 151 Officer and the Chief Executive are informed.

Although, the Council no longer investigates Housing Benefit fraud, where a suspicion occurs of a staff member's involvement in a Housing Benefit (including Local Council Tax Support) fraud, the above steps should still be followed.

All other suspicions of benefit fraud (including Local Council Tax Support) must be reported to the Compliance Manager within the Benefits Division. Suspicions can also be reported directly to The Department for Work and Pensions (DWP) via their website (www.gov.uk/report-benefit-fraud) or by calling the National Benefit Fraud Hotline on 0800 854440 or by textphone on 0800 328 0512. It may be prudent to seek the advice of either The Corporate Fraud Manager or The Compliance Manager before contacting the DWP however, as Local Council Tax Support cannot be investigated by the DWP.

In usual circumstances, the suspicion will be passed to the Corporate Fraud Team to assess and undertake an investigation if appropriate. The Corporate Fraud Manager / Chief Internal Auditor will retain overall responsibility for the conduct of the investigation; however, it is probable that the matter will be allocated to a member of the Corporate Fraud Team to undertake any investigation. As part of the Internal Audit service, the Corporate Fraud Team will be independent of any service area under investigation and all of the officers comprising the Corporate Fraud Team currently are fully trained and accredited investigators each holding the qualification of Accredited Counter Fraud Officer / Specialist whilst the Corporate Fraud Manager also holds the qualification of Accredited Counter Fraud Manager.

There may be circumstances where it is appropriate for managers to undertake some preliminary enquiries to ascertain the validity of an allegation or irregularity (for example, to establish whether on the face of it, there is a case to be investigated), however before embarking on such action, advice should always be sought from a member of the Corporate Fraud Team as such action may alert the fraudster and could result in the concealing or destroying of vital evidence or compromise the investigation and the collection of further evidence.

The investigating officer will liaise and work with Human Resources at the earliest available opportunity on disciplinary matters such as suspending the staff member to enable further investigation and protect vital evidence.

Initial Enquiries

As stated above, the manager may make discreet initial enquiries in order to:

- Determine any facts that gave rise to the suspicion
- Examine any factors to determine whether there has been a genuine mistake made or whether an irregularity has occurred

Any actions and findings should be clearly recorded and documented ensuring that access is restricted (for example, not held on an “open” area of the computer network or in the case of paper notes, making sure they are securely locked away).

It is important that the suspected perpetrator is not interviewed at this stage nor any allegations / suspicions put to them. If in doubt at any point, the manager must seek the guidance of the Corporate Fraud Team or the Chief Internal Auditor.

Formal Investigation

If a formal investigation is required, it will be conducted by a qualified Corporate Fraud Investigator. The nature of the investigation, lines of enquiry followed and evidence obtained will vary depending on the irregularity being investigated and will, for the most part be fluid and reactive. Generally, however, the investigating officer will be seeking to gather evidence by way of interviews, the taking of written witness statements and the obtaining of evidence be it physical, documentary etc.

The investigating officer will consult and take advice from Human Resources particularly on matters regarding employment law, policies and procedural matters. It is imperative however, that a clear distinction must be made in these circumstances between those advising the investigating officer and those advising the staff member.

Legal Services will be consulted as appropriate to advise or seek external advice in order to support any investigation.

Any investigation will be conducted with full compliance with The Criminal Procedures and Investigations Act 1996 which governs the conduct of a criminal investigation (such as obtaining and recording evidence etc.) as well as any other legislation that may apply such as The Police and Criminal Evidence Act 1984 (PACE), The Regulation of Investigatory Powers Act 2000 (RIPA), The Human Rights Act 1998 and Data Protection Act etc. (this list is meant as an example and is not exhaustive).

In general terms however, the following principles will apply to the investigation:

- Any investigation will be conducted promptly (subject to evidence gathering activities) with periodic updates given as appropriate to the Chief Internal Auditor and / or the relevant Service Director.
- All actions and evidence will be recorded either by written or electronic means and stored securely with access given purely on a “need to know” basis.
- Enquiries and evidence gathering activities will be undertaken as discreetly as possible with sensitivities observed where appropriate.
- Confidentiality will be maintained throughout with information only shared where circumstances and the law allows.

Where it is considered appropriate, the investigation may involve the input of other agencies such as local authorities as well as other law enforcement agencies such as the Police and HM Revenue & Customs. Liaison and / or joint working will be conducted in accordance with established guidelines and protocols.

The investigating officer must not and will not accept any offer of repayment of monies or resignation at any stage during the investigation, however any such offers

will be noted and recorded on the investigation file and reported to the Chief Internal Auditor/responsible Service Director.

The Council has a right to suspend any employee involved pending the outcome of an investigation. Any such suspension, is, in the opinion of the Council, a neutral act and does not imply any guilt on behalf of the suspended employee. The suspension of an employee can, in some circumstances aid the speed in which an investigation can be conducted and serve to preserve vital evidence.

When suspects are not suspended, supervision of the employee will usually need to be increased and any manager should seek the advice of Human Resources and ICT on how this can best be accomplished.

Actions following the completion of an investigation

Upon the completion of an investigation, the investigating officer will report their findings in the first instance to the Corporate Fraud Manager and Chief Internal Auditor, who will in turn make the findings known to Human Resources, relevant Service Director or the Chief Executive

In the case of any monetary losses, a report will be given to the Council's Insurance Officer.

Should any control weaknesses be identified, the Service Director and relevant manager will be informed and remedies be actioned immediately. The Chief Internal Auditor / Internal Audit Service will be able to provide advice and support regarding effective control mechanisms.

Should there be disciplinary issues identified as part of the investigation, a full report will be made to Human Resources who will work with the relevant Service Director and manager to decide what happens next. Should any course of action result in a disciplinary hearing, the investigating officer will (if required) make themselves available to give evidence at the hearing.

Although some organisations delay the bringing of any disciplinary action pending the outcome of any criminal prosecution, the Council will seek to deal with any disciplinary matters using the appropriate processes.

Should it be the case that criminal action presents itself as an option, this decision will be fully explored and subject to the Council's Fraud Prosecution Policy. Should fraud be proven, the Council will make every effort to recover any monetary losses. The method of doing so may vary depending on the type of loss and relevant legislation, however all options will be explored including civil court proceedings and in the case of criminal prosecution, proceedings brought under The Proceeds of Crime Act 2002.

STATEMENT OF LICENSING POLICY

Made under section 5 of the Licensing Act 2003

This policy shall be reviewed not later than 2021

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1. Purpose and Scope

- 1.1 Epping Forest District Council ('the Council') is the licensing authority under the Licensing Act 2003 ('the Act'). This policy relates to all those licensing activities identified as falling within the provisions of the Act, including granting premises licences, club premises certificates, temporary events and personal licences in the district in respect of the sale and/or supply of alcohol and/or the provision of regulated entertainment and late night refreshment.
- 1.2 The Act requires that the Council publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act and to regulate licensable activities on, and in the vicinity of, licensed premises. This 'Statement of Licensing Policy' has been prepared in accordance with the Act.
- 1.3 This 'Statement of Licensing Policy' has been prepared in accordance with the provisions of the 2003 Act and having regard to the guidance issued under Section 182 of the Act.
- 1.4 This Statement of Licensing Policy has been produced in consultation with the Chief Police Officer for Essex, the Fire and Rescue Authority and bodies representing local holders of premises licences, club premises certificates and personal licences, businesses and residents of the area. The policy will be reviewed in not less than 3 years, or in the light of changes to legislation or circumstances, whichever is sooner.

Licensing Objectives

- 1.5 The Act requires that the Council carry out its various licensing functions so as to promote the following four licensing objectives:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.6 To achieve these objectives the Council will use the full range of measures available to it, including relevant legislation. The Council will work closely with the police, the fire authority, businesses, community representatives and local people in meeting these objectives.
- 1.7 There are a number of other Council and Government policies, strategies, responsibilities, and guidance documents that have been considered in the formulation of this licensing policy and which will be taken into account in its implementation.
- 1.8 Applicants must be able to demonstrate that they have considered the four licensing objectives within their operating schedule. Applicants know their premises best and will be expected to address all aspects relevant to the individual style of their premises. Consideration must be given to all of the licensing objectives. There are many control measures that are available to applicants to achieve this goal. Where appropriate applicants should consider whether or not any additional measures are required in respect of occasional or specific events that are intended or are likely to attract larger audiences.

Consultation, Strategies and Policies

- 1.9 In developing this Policy Statement, the Council consulted widely. Along with the statutory consultees (the Chief Police Officer for the District and the Essex County Fire and Rescue Service), the views of existing licence holders, businesses, voluntary groups and residents were also taken into account. Due consideration was given to the views of all those who responded to that consultation process.

Details of the consultation on this policy are attached as Appendix 2.

- 1.10 The Council will take account of the guidance and strategies listed or any replacement guidance or strategy when preparing its policies and in its decision making.

- Environmental Health Enforcement Policy
- Enforcement Concordat
- The Corporate Plan

Other Responsibilities

- Responsibilities under Anti-Social Behaviour Act 2003
- Equality Act 2010

Guidance Documents

- Guidance issued under S182 of the Licensing Act 2003
- A practical guide for dealing with Alcohol related problems issued by the Home Office
- Home Office - Safer Clubbing Guide
- LACORS – A Practical Guide to Test Purchasing
- Any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols

Any documentation relating specifically to temporary events such as:

- The Event Safety Guide: A Guide to Health, Safety and Welfare at Music and Similar Events (HSE 1999)
- Managing Crowds Safely'
- Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 0716 150804
- The Guide to Safety at Sports Grounds
- Safety Guidance for Street Arts, Carnivals, Processions and Large-scale Outdoor Performances Independent Street Arts Network copies of which may be obtained through www.streetartsnetwork.org.uk/pages/publications.htm

- 1.11 The Council will have regard to, and consult with those involved with, local crime prevention, planning, transport, tourism, race equality and cultural strategies. Review or amendment to these strategies will be considered for their impact on this Statement of Licensing Policy.
- 1.12 Furthermore, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will

also be appraised of the local employment situation and the need for new investment and employment, where appropriate.

- 1.13 To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Development Control Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder, to enable the Development Control Committee to have regard to such matters when making its decisions.

Equality Duty

- 1.14 The Council recognises its responsibilities under the Equality Act 2012 to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and foster good relations between persons with the characteristics mentioned in the Act. These characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The impact of this policy on its services will be monitored through the Council's Equality scheme. This Statement of Licensing Policy has been assessed to take account of equality issues.

Regulated Entertainment

- 1.15 As part of implementing local cultural strategies, proper account/consultation will be taken of the need to encourage and promote in suitable locations, a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefit of communities.
- 1.16 If representations are made concerning the potential for disturbance in a particular neighbourhood, the Council's consideration where disturbance is likely to be of limited extent, will be balanced against the wider benefits to the community. When attaching conditions the Council will also be aware of the need to avoid measures that might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.

Applications

- 1.17 In determining a licence application, the overriding principle adopted by the Council will be that each application will be determined on its merits, taking into account:
- the Licensing Act 2003 and the four licensing objectives;
 - Government Guidance issued under Section 182 of the Licensing Act 2003;
 - Supporting regulations;
 - This statement of Licensing Policy; and
 - the nature and locality of the premises and the Operating Plan submitted by the applicant.
- 1.18 The Council requires the applicants to satisfactorily address the licensing objectives, from the design of the premises through to the daily operation of the business, in their Operating Plans, which must be submitted with their application.

1.19 Nothing in this Statement of Policy will:

- Undermine the rights of any person to apply under the Act for a variation of permissions and have the application considered on its individual merits;
- Override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act;
- Prevent any person from applying for a variety of permissions under the Act.

1.20 So far as possible, this policy will not duplicate existing legislation and

regulatory regimes that already place obligations on employers and operators e.g. The Health & Safety at Work etc Act 1974, The Environmental Protection Act 1990, equalities legislation, and the Fire Safety Regulatory Reform Order 2005. Conditions in respect of public safety will only be attached to licences if they are necessary for the promotion of a licensing objective. When considering applications the provisions of the Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls) Order 2009 will apply.

1.21 When one part of the Council seeks a premises licence from the Licensing Committee, the application will be considered from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they will be considered fairly by the Committee.

1.22 In all cases, the applicants and those making representations have a right to appeal to the magistrates' court against any decision made by the Council.

Representations

1.23 Responsible Authorities may make representations on applications, so far as they relate to the promotion of the four licensing objectives, and request reviews once licences have been granted. Representations must be evidentially based.

The Responsible Authorities are:

- The relevant licensing authority or any other licensing authority in whose area part of the premises is situated.
- Chief Officer of Police,
- the Fire and Rescue Authority,
- the Enforcing Agency for health and safety purposes,
- the local authority responsible for environmental health,
- the local planning authority,
- the authority responsible for minimising or preventing the risk of pollution
- the Child Protection Authority,
- the local Clinical Commissioning Group
- the local weights and measures authority (trading standards).

1.24 The Act permits other persons to make representations. This includes any individual, body or business, or their representatives are known as 'interested parties' and are free to raise relevant representations regardless of their geographical proximity to the premises. Any representations must be 'relevant' in that the objection relates to one or more of the four licensing objectives. In the case of a review the ground must not be considered to be repetitious.

- 1.25 A Councillor for the District may also make representations. A representation would only be 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives. Any representation must not be frivolous or vexatious, and in addition, in the case of reviews, not be repetitious. Parties intending to make a representation are directed to the guidance issued by the Department for Culture, Media and Sport (or similar government issued guidance) for assistance as to whether a representation is relevant.
- 1.25 In the absence of any representations the licence must be granted and any representations must be heard at a hearing of the Licensing Sub-committee.

Conditions

- 1.26 Licence conditions will be tailored to the individual application and those **appropriate** to promote the licensing objectives will be imposed. Licence conditions will not be imposed where other controls/legislation exist to provide sufficient protection to the public. The Council may create its own pool of conditions to assist applicants. Essex Police have created a pool of conditions which may also assist applicants.
- 1.27 Any conditions arising from the operating schedule or as a result of representations will be focused on the direct impact of the activities taking place at the licensed premises, on members of the public living, working or engaged in normal activity in the area concerned and which are within the control of the individual licensees and others with relevant authorisations.

Administration, Exercise and Delegation of Functions

- 1.28 The powers of the Council under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.
- 1.29 With the exception of the approval and review of its Licensing Policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. A table setting out how we will approach this is attached at Appendix 1.
- 1.30 The Licensing Committee will receive regular reports regarding licences determined by officers under delegated powers, in order to maintain an overview of the general situation.
- 1.31 The Licensing Committee will expect individual applicants to address the licensing objectives in their Operating Plan, having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.

Cumulative Impact of a Concentration of Licensed Premises

- 1.32 Cumulative impact means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
- 1.33 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the Council can take into account. This will not be confused with 'need', which relates more to the commercial demand for a particular type of premises, and is therefore a matter for planning consideration and does not form part of this Licensing Policy Statement.
- 1.34 The Council may receive representations from either a Responsible Authority or any party, (both defined by the Act), that the cumulative impact of new licences is leading to an area becoming saturated with premises of a certain type, making it a focal point for large groups of people to gather, and thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves. In such cases, the issue of cumulative impact may be taken into account when considering the individual merits of any application.
- 1.35 The Council will not operate a quota of any kind which would pre-determine any application, nor will it seek to impose general limitations on trading hours in particular areas. Instead, regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, and other clubs all sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.
- 1.36 In determining whether to adopt a 'cumulative impact' policy for a particular area the Council may, amongst other things:
- gather evidence of local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
 - gather evidence of environmental health complaints particularly in relation to litter and noise;
 - gather evidence of health-related statistics such as alcohol-related emergency attendances and hospital admissions
 - Identify the area from which problems are arising and the boundaries of that area;
 - Make an assessment of the causes;
 - Adopt a policy about future applications for premises within that area.
- 1.37 The Council recognises however, that as well as the licensing function there are a number of other mechanisms for addressing issues of unruly behaviour that occur away from licensed premises. The Council recognises that licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and beyond the direct control of the licence holder.

Advice and Guidance

- 1.38 The Council recognises the valuable cultural, social and business importance that premises and events requiring a licence under the Licensing Act provide and welcomes the diversity of activities that are provided by licence holders. For this reason, pre-application discussions will be encouraged to assist applicants to develop their operating schedule. The Council, Essex Police and/or Essex County Fire and Rescue Service will offer as much advice and guidance to applicants, as resources permit.
- 1.39 The Council will also seek to liaise with applicants and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved, wherever possible and where resources permit. Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that the applicant discuss his proposal with the licensing department/section and those from who they think representations are likely prior to submitting their application. Once an application has been lodged, there are statutory timescales imposed upon the application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

Reviews

- 1.40 A Responsible Authority and/or other parties can trigger a review of a premises licence or club premises certificate but an evidentiary basis would be required to be presented to the Licensing Authority. Representations received must be relevant to the promotion of the licensing objectives and submitted in writing. Representations must not be frivolous or vexatious.
- 1.41 The Act provides a mechanism for reviewing Premises Licences where problems associated with achieving the Licensing Objectives occur. However, no more than one review from an interested party will normally be permitted within any 12 month period on similar grounds, except in exceptional and compelling circumstances or where it arises following a Closure Order.
- 1.42 In addition where premises are associated with serious crime or serious disorder a senior police officer (Superintendent or above) may apply for a summary review of the premises licence which may result in :-
- (a) the modification of the conditions of the premises licence;
 - (b) the exclusion of the sale of alcohol by retail from the scope of the licence;
 - (c) the removal of the designated premises supervisor from the licence;
 - (d) the suspension of the licence.

The initial decision may be determined in the absence of the premises licence holder. A review hearing must then take place within 28 days.

- 1.43 Where ~~an interested~~ any Party applies for a review, the Licensing Authority has to be satisfied that the grounds are relevant. There is no appeal to the decision of the Authority other than by way of judicial review.

- 1.44 The Licensing Authority accepts that in exceptional circumstances, an Interested Party may not wish to provide his/her personal details to the licence or certificate holder. In those circumstances an Interested Party might consider providing the relevant Responsible Authority with details of how they consider the licensing objectives are being undermined so that the Responsible Authority can apply for a review.
- 1.45 Where possible and appropriate the Council, Essex Police and/or Essex Fire Service will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.
- 1.46 No more than one review from interested parties will be normally permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances.

Enforcement

- 1.47 The Council delivers a wide range of enforcement services aimed at safeguarding the environment and the community and at providing a 'level playing field' on which businesses can fairly trade. The administration and enforcement of the licensing regime is one of these services. The Council has adopted the Government's Enforcement Concordat designed to ensure effective and efficient public protection services. Specifically, the Council is committed to the principles of good inspection and enforcement practice and recognises the Hampton principles by carrying out its regulatory functions in a fair, open and consistent manner.
- 1.48 Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives, and compliance with the specific conditions of their licence and their Operating Plan. The Council will make arrangements to monitor premises and take appropriate enforcement action to ensure this.
- 1.49 The Council has established an enforcement protocol with Essex Police, Essex County Fire and Rescue Service and (Essex County Council) Trading Standards on enforcement issues. This protocol provides for the targeting of resources towards high-risk premises and activities that require greater attention, while providing a lighter touch in respect of low risk premises.

2. Licensing Objectives

- 2.1 The following sections set out the Council's Policy relating to the four licensing objectives:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance;
 - the protection of children from harm.

3. Prevention of Crime and Disorder

3.1 When considering Crime & Disorder applicants should look to include in their Operating Plan measures to control problems associated with this as required:

- Effective training and supervision of staff
- Adoption of best practice guidance (e.g. Safer Clubbing, The National Alcohol Harm Reduction Strategy Toolkit, Pub watch schemes, CCTV, Drug Awareness)

4. Public Safety

4.1 When considering Public Safety the applicant should consider whether it is necessary to address the following in their Operating Plan:

- Suitable and sufficient risk assessments;
- Effective and responsible management of premises;
- Adoption of best practice guidance (e.g. Guide to Fire Precautions in Licensed Premises).

5. Public Nuisance

5.1 When considering prevention of public nuisance applicants should consider what measures may be necessary and should take account of the following:

- Adoption of best practice guidance (e.g. Good Practice Guide on the Control of Property, Noise, published by BBPA);
- Ensuring customers leave quietly;
- Installation of sound proofing.

6. Protection of Children from Harm

6.1 The Council recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Access by children to all types of premises will not be limited in any way unless it is considered necessary to do so in order to protect them from harm.

6.2 When deciding whether to limit access to children or not, the Council will judge each application on its own individual merits. Examples that may give rise to concern in respect of children would include premises where:

- entertainment of an adult or sexual nature is provided;
- there is a strong element of gambling taking place;
- there is a known association with drug taking or dealing;
- there have been convictions of members of the current staff at the premises for serving alcohol to those under 18;
- there is a reputation for underage drinking;
- where the supply of alcohol for consumption is the exclusive or primary purpose of the services provided at the Premises.

6.3 In the case of premises which are used for film exhibitions, conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

- 6.4 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions will be imposed requiring the presence of an appropriate number of adult staff to ensure the children's safety and their protection from harm.
- 6.5 Venue operators seeking premises licenses and club premises certificates should consider including in their operating schedules particularly where their own risk assessments have determined that the presence of children is undesirable or in appropriate conditions which could include –
- A limit on the hours when children may be present;
 - A limitation or exclusion when certain activities may take place;
 - The requirement to be accompanied by an adult;
 - Limiting access to parts of the premises;
 - An age limitation.
- 6.6 The Council will not impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club. In all cases, it is expected that the applicant will have considered the protection of children in their Operating Plan. The Council commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks and would expect applicants to consider the Code in their Operating Plan.
- 6.7 In the case of premises giving film exhibitions the Council would expect licensees or clubs to include in their operating schedules arrangements for restricting children from age-restricted films as classified according to the recommendations of the British Board of Film Classification.
- 6.8 The competent responsible authority in relation to the protection of children from harm is the Essex County Council's Children's Safeguarding Service.

7. Licensing Hours

- 7.1 The Council recognises that longer licensing hours may be in the interests of the community by avoiding concentrations of disturbance from customers leaving premises whilst ensuring that nuisance is minimised to local residents. Premises will generally be able to sell alcohol during the hours they are permitted to open. Entertainment providers may provide a range of entertainment during their operating hours. When issuing a licence, however, stricter conditions are likely to be imposed with regard to noise control in the case of premises situated in largely residential areas.

Contact Details

Further information concerning all aspects of licensing can be obtained from our website: www.eppingforestdc.gov.uk

or

Licensing Section
Commercial and Regulatory Services Directorate
Epping Forest DC
Civic Offices
High St
Epping CM16 4BZ

Tel: 01992 564034

Fax: 01992 578018

Email: licensing@eppingforestdc.gov.uk

Delegation of Functions

Appendix 1

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 police -objection to a temporary event notice		All cases	
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		

Consultation

Consultation will be undertaken with those listed below. The majority of those being contacted via email and the remainder by post. A copy of the draft policy will be available on the EFDC website. All comments received will be considered and the results of the consultation published on the EFDC website. The consultation period will be 6 weeks.

Alex Burghart MP Arriva Bus Company Arts Council England Association of Licensed Retailers Attwater & Liell Solicitors Berwin Leighton Paisner Solicitors British Transport Police Butler & Mitchells Brewers Churches and Religious Groups Citizens Advice Bureau Consumers Association Cooley Partnership Campaign for the Protection of Rural England Curwens Solicitors Council for Voluntary Services Crime and Disorder Strategy Panel East Herts DC EFDC Councillors EFDC Senior Officers Eleanor Laing MP Environment agency Epping Forest Conservators Epping Magistrates Equity Essex Ambulance NHS Trust Essex County Council Essex Fire & Rescue Essex Police Essex Probation Service Essex Tourist Bodies Fosket Marr Gadsby & Head	General Municipal and Boilermakers Union Hammonds Solicitors Health and Safety Executive Essex Jarmans Solicitors Laurel Pub Co Lea Valley Park Authority Limes Farm Synagogue Local Chambers of Commerce Local Council Liaison Committee Local Round Tables Local Taxi Operators Loughton Residents Association LUL Transport for London McMullens Brewery Musicians Union Parish and Town Councils Police & Community Consultative Group Princess Alexandra NHS Trust Ridleys Brewery's Robert Halfon MP Rural Community Council of Essex Scottish & Newcastle Retail Somerfield Supermarkets Spirit Group Brewery Transport and General Workers Union Town Centre Partnerships Union of Shop, Distributive and Allied Workers Unison Licensed Victuallers Association West Essex CCG Whiskers & Co Solicitors Whipps Cross NHS Trust
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Appendix 2

Epping Forest District Council Honorary Alderwoman/ Alderman Scheme

The appointment of Honorary Alderman may be conferred by the Full Council in recognition on a previous Councillor who over a period of time, has made a significant eminent contribution to the Council and the District.

Any member of Council may nominate an ex-Councillor for the role of Honorary Alderman (or Alderwoman). A nomination form, as set out in Appendix A, must be completed and signed by two members of Council. Once completed the form should be submitted to the Chairman for consultation with the Leader of the Council.

If for any reason the nomination does not meet the criteria then a full written reply will be sent to the nominating members.

An individual will be eligible for nomination and appointment to the role of Honorary Alderman provided:

- (i) They are no longer a serving Councillor; and
- (ii) the proposed recipient must be willing to accept their nomination

AND one of the following criteria apply to the proposed recipient:

- (a) they have served at least 16 years in office; or
- (b) they have held a significant position of public responsibility with the Council, for a minimum period of one year; or
- (c) they have provided demonstrable eminent service to the Council throughout a long and distinguished period of public service;

The award must be the subject of a resolution passed by not less than two thirds of the members present at a meeting specially convened for that purpose.

An Honorary Alderman/Alderwoman does not carry any right to attend meetings of the Council or its committees or to claim any allowances payable to Members.

An Honorary Alderman/Alderwoman of the Council may attend and take part in such civic ceremonies as the Council may from time to time decide. Honorary Aldermen are entitled to wear the badge of 'Honorary Alderman' at Civic events within the district.

The badge of Honorary Alderman/Alderwoman must only be worn at civic events outside the District at the specific request of the organisation of the event.

Those elected to the Roll of Honorary Alderman/Alderwoman are entitled to use the title of 'Honorary Alderman of the District of Epping Forest'.

Following notification of the death of an Honorary Alderman/Alderwoman, the district flag will be flown at half-mast over the Civic Offices on the day after of notification of death and the date of the funeral as a mark of respect.

Presentation

The award of Honorary Alderman/Alderwoman shall take place during an extraordinary meeting of the Council, called for this specific purpose. The Chairman will preside over this meeting.

During the meeting a Notice of Motion will be put forward to confer the title of Honorary Alderman on the Nominee(s) to recognise their services to the Council and the community.

The motion before the Council shall be proposed and seconded, and members of the Council shall be invited by the Chairman to speak.

The Chairman shall seek the agreement of those present and voting.

Should the motion not be unanimously carried, a vote shall be called by the Chairman, and a majority of two thirds of those present shall be required to carry the motion.

If the resolution is passed, the person being awarded the title of Honorary Alderman/Alderwoman will be presented with a Badge of Office and their name entered into the Roll of Honorary Alderman/Alderwoman.

The Roll of Honorary Alderman/Alderwoman, which will include the date of election to the Roll, will be maintained by the Proper Officer.

Following the presentation, the person appointed will be given the opportunity to address the Council meeting.

Removal of Award

If any person appointed Honorary Alderman/Alderwoman is subsequently elected as a member of Epping Forest District Council their appointment will be suspended for the duration of their further term(s) in office.

The Council may remove the award of Honorary Alderman/Alderwoman. A motion to remove the award of Honorary Alderman/Alderwoman must be signed by at least six current Councillors and passed by not less than two thirds of members present at the Council meeting.

Part 3

Scheme of Delegation

Appendix 3

DELEGATION APPROVED BY OR ON BEHALF OF THE COUNCIL

Changes Approved by Full Council – 20 December 2018

Key:

Officer Levels: Level 4 – Chief Executive, Strategic Directors, Level 3 – Service Directors, Level 2 – Service Manager

The following table gives an indication of the scope of control of the current management structure, delegations made under this scheme of delegation can be made by the officers listed insofar as those further delegations are:

1. Legally permissible; and
2. Within that officer's area of responsibility.

Service Director Officer Role:	Current services (December 2018)
Business Support Services	People Team, Business Support, Building Services, Reprographics, ICT, Accountancy, Treasury Management, Insurance, Accounts payable, Land Charges, Health and Safety, Emergency Planning and business continuity, Legal Services
Contract and Technical Services	Waste and Recycling, Car Parking, Leisure Management, Fleet Operations, Land Drainage, Contaminated Land, Grounds Maintenance, Arboriculture, Countrycare, Highways liaison, Procurement
Commercial and Regulatory Services	Estates and valuation, North Weald Airfield, Licensing, Building Control, Environmental Health and Environmental Co-ordination, Private Sector Housing,
Community and Partnership Services	Community Safety , Environment and Neighbourhood Services, Safeguarding, Community Health and Wellbeing and Museum, Heritage and Culture, Grant Aid, Youth Council, Local Strategic Partnership, Economic Development, Tourism, CARE Agency and Grants
Customer Services	Customer Services, Compliments and Complaints, Corporate Communications, Website, Public consultation, Revenues, Benefits, Debt recovery, cashiers, Democratic Services, Civic and Members Services, Elections, Data Protection/Freedom of Information,
Currently allocated to a Strategic Director	Transformation Programme, Project Management, Performance Monitoring, Corporate Plan/Equalities.
Housing and Property Services	Housing Management, Housing Options, Older peoples Housing, Home ownership, Housing Repairs, Housing Assets, Housing Development, Facilities Management, Depot Management.

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Service Director Officer Role:	Current services (December 2018)
Planning Services	Development Management, Planning Policy, Garden Town Liaison, Local Plan Implementation, Planning Enforcement, Tree Preservation, Landscape, Built Heritage, Conservation,

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
CLA1	Council - 29.10.85 (Minute 57(2))	SERVICE DIRECTOR CUSTOMER SERVICES, OR ANY LEVEL 3 OFFICER OR ABOVE	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
CLA2	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.
CLA3	Policy & Co-ordinating Committee (Minute 56 – 30.9.97)	LEGAL SERVICES MANAGER OR ANY LEGALLY QUALIFIED STAFF MEMBER WITHIN LEGAL SERVICES NOMINATED BY THEM	AFFIDAVITS – SWEARING OF To secure sworn affidavits from any member of Council staff where required by the Council.
CLA4	Council (Minute 104(5) – 19.4.83)	CHIEF EXECUTIVE AND STRATEGIC 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

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
		SERVICE DIRECTORS AND LEVEL 2 AND 1 MANAGERS	To implement the Council's scheme for staff performance development reviews (NB excluding Service Directors).
CLA5	Personnel Sub-Committee (Minute 13 – 7.6.88)	CHIEF EXECUTIVE OR ANY LEVEL 2 MANAGER OR ABOVE	ATTENDANCE ALLOWANCES FOR OFFICERS To authorise attendance of such officers at any function or meeting and to grant payments on rates applicable for weekend working.
CLB1	Council (Minute 78(5) – 27.2.90)	SERVICE DIRECTOR BUSINESS SUPPORT SERVICES OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THEM.	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.
CLB2	Policy & Resources Committee (Minute 3 – 11.10.73)	LEGAL SERVICES MANAGER OR SOLICITOR OR FELLOW OF THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES WITHIN LEGAL SERVICES NOMINATED BY THEM	BYELAWS – CERTIFICATION To act as Proper Officer for the purposes of Section 238 of the Local Government Act 1972.
CLB3	Policy & Resources Committee (Minute 3 – 11.10.73)	LEGAL SERVICES MANAGER OR SOLICITOR OR FELLOW OF THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES WITHIN LEGAL SERVICES NOMINATED BY THEM	BYELAWS – PARISH & COUNTY COUNCIL COPIES To act as Proper Officer for the purposes of Section 236(a) of the Local Government Act 1972.
CLC2	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).

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
CLC3 82	Finance Sub-Committee (Minute 13 – 14.11.73)	SERVICE DIRECTOR BUSINESS SUPPORT SERVICES OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THEM. (or other duly authorised signatory)	CHEQUES – SIGNING To sign cheques on behalf of the Council.
CLC4	Council (Minute 90(4) – 22.4.97) S.O. F1(3), F1(4)	MR PETER MADDOCK	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.
CLC5	Policy & Co-ordinating Committee (Minute 51 – 4.1.94)	SERVICE DIRECTOR BUSINESS SUPPORT SERVICES OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THEM.	COLLECTION FUND To calculate the surplus or deficit on the Collection Fund in accordance with the Local Authorities (Funds) (England) Regulations 1992.
CLC6	Council (Minute 90(4) – 22.4.97)	ANY LEVEL 4 OR 3 OFFICER THAT IS NOT THE INITIATING OFFICER FOR THE SUBJECT MATTER.	COMMON SEAL – ATTESTATION OF To attest the Common Seal of the Council.
CLC7	Personnel Sub-Committee (Minute 13 – 15.11.73)	ANY LEVEL 4 OR 3 OFFICER	COMPASSIONATE LEAVE To grant to staff up to five days leave (with pay) per year for compassionate reasons.

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CLC8	Council (Minute 18 - 18.6.12)	MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)	<p>CONDUCT OF COUNCILLORS In accordance with Sections 26-37 of the Localism Act 2011:</p> <p>(a) To determine whether a complaint merits formal investigation after consultation with the independent person;</p> <p>(b) To arrange any such investigation;</p> <p>(c) To seek resolution of complaints without formal investigations wherever practicable;</p> <p>(d) To submit regular reports to the Standards Committee on the exercise of this delegated authority under (a), (b) and (c) above;</p> <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: (1) consultation with the independent person and the complainant; (2) a summary report being made to the Standards Committee on the action taken;</p> <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</p>

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84	Standards Committee (Minute 21 – 13.12.12)	MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)	of parish and town councils; and (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)
CLC9	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCIL MEETINGS – NOTICES AS TO ADDRESSES FOR DELIVERY OF SUMMONS 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.
CLC10	Council (Minute 127 – 23.4.13)	MONITORING OFFICER	CONSTITUTION – MINOR AMENDMENTS To make amendments to the Constitution as set out in the Article relating to Revision, Amendment and Suspension of the Constitution
CLC11	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.
CLC12	Policy & Resources Committee (Minute 3 – 11.10.73) Council 28 May 2015 (Minute 12 – 28.5.15)	CHIEF EXECUTIVE ANY LEVEL 4 MANAGER IN THE ABSENCE OF THE CHIEF EXECUTIVE	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.

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CLC13	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.
CLC14	Council (Minute 49 – 18.12.01)	SERVICE DIRECTOR CUSTOMER SERVICES OR ANY LEVEL 2 OFFICER NOMINATED BY THEM	COUNCILLORS – SUBSTITUTES To receive notices from Group Leaders regarding the appointment of substitute members, subject to certain conditions.
CLC15	Council (Minute 100(7) – 18.4.2000)	LEGAL SERVICES MANAGER	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.
CLD1	Council (Minute 78(4) – 17.2.85)	S TAUTZ – DEMOCRATIC SERVICES MANAGER	DATA PROTECTION ACT 2018 To act as Data Protection Officer for the purposes of the Data Protection Act 2018 and General Data Protection Regulation.
CLD2	Council 31 July 2018	SERVICE DIRECTOR – PLANNING SERVICES OR A LEVEL 2 OR 1 OFFICER NOMINATED BY THEM.	DEVELOPMENT MANAGEMENT A. To determine: (a) All Full Planning Applications (b) All Householder Planning Applications (c) All Outline Applications and Reserved Matters Applications (d) All applications for Advertisement Consent, (e) All Applications for Listed Building Consent

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
86			<p>(f) All applications for Demolition in Conservation Areas</p> <p>(g) All Applications for Hazardous Substance Consent</p> <p>(h) Tree Preservation Order Consent applications where felling is proposed.</p> <p>(i) All Applications for Variation or Removal of Conditions</p> <p>except the following which shall be determined by the committee or subcommittee indicated in Article 10 to the constitution:</p> <ol style="list-style-type: none"> 1. Applications for residential developments consisting of 10 or more dwellings (unless approval of reserved matters only) which are recommended for approval; 2. Applications made by the Council on land and / or property in its ownership which are for disposal, in accordance with the size of application set out in Article 10 of the Constitution. 3. Applications recommended for approval where at least one of the following have been received: <ol style="list-style-type: none"> a. At least 5 expressions of objections material to the planning merits of the proposal are received (or where less than five have been consulted, the majority of those have objected); or b. An objection is received from a local council, supported by at least one non-councillor resident, with material planning reasons; or c. An objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered. Should the relevant Local Council fail to register to

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87			<p>speak, the application be referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination in accordance with Rule P2 (2) (Planning Applications) set out in Part 4 of the Constitution</p> <p>d. Applications which a member (whose ward is within the Plans Sub-Committee Area) has requested be referred to committee for consideration subject to the request being made in writing within 4 weeks of that application's notification in the weekly list.</p> <p>5. Any application by an elected member or Senior Officer (Head of Service and above) of the Council or a relevant person (see code of conduct for definition) recommended for approval;</p> <p>6. Any other application which the Head of Planning considers appropriate to be determined by members.</p> <p>B. To determine;</p> <p>All matters, set out below, unless the Service Director, Planning considers it appropriate to be determined by members.</p> <p>1. Planning Related Applications</p> <p>(a) Tree Preservation Order consent applications other than where felling is proposed</p> <p>(b) All notification applications</p> <p>(c) All prior approval applications including telecommunications equipment.</p> <p>(d) All certificates of lawful use and development.</p> <p>(e) All applications for non-material amendments to applications.</p>

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88			<p>(f) All applications for approval of details reserved by condition.</p> <p>(g) All applications for Permission in Principle for Minor Housing Led Development and for Technical Details Consent</p> <p>2. Planning and Related Procedures</p> <p>(a) Finalising the conditions or reasons for refusal, which appear on decision notices.</p> <p>(b) The preparation of legal agreements, in consultation with the Service Director Governance and Member Services/Solicitor to the Council within the terms of any relevant Committee resolution.</p> <p>(c) Determining the need for information required to make a decision on a planning application including the need for, and scoping of, an Environmental Assessment.</p> <p>(d) Deciding the charge to be made for the provision of information where the normal scale of charges is inappropriate (e.g. information requiring research and/or to be used for commercial purposes.)</p> <p>(e) Deciding what should be within the Councils Local Validation Checklist.</p> <p>3. Enforcement</p> <p>(a) To determine whether any enforcement should be taken and what such action should entail.</p> <p>(b) Issuing 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 Notices under Section 215-219 of the Town and Country Planning Act 1990 (as amended), for all breaches of planning</p>

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			<p>legislation, in accordance with the Council's adopted enforcement policy.</p> <p>(c) Prosecution of the unauthorised display of advertisements, unauthorised works to a listed building or in a conservation area, or breach of Tree Preservation or Hedgerow Regulations and non-compliance where enforcement action has previously been authorised.</p> <p>(d) Take appropriate enforcement action, including serving an injunction where the Service Director Planning or their nominee, having regard to the evidence, considers the circumstances to require urgent action.</p> <p>(e) Investigation and prosecution of breaches of temporary market requirements</p> <p>(f) Variation of the requirements for compliance with any enforcement related notices already authorised, including altering the period required for compliance, service of further notices and withdrawal of notices.</p> <p>(g) To authorise direct action (or re-charge the cost of that action) in pursuit of a valid enforcement notice subject to budget provision being available and to local District Councillors being notified</p> <p>(h) To report to an Area Plans Sub-committee on specific enforcement cases were requested by members.</p> <p>4. Entry onto Land</p> <p>(a) To Authorise officers and agents engaged by the Council to use the relevant powers of entry as necessary and make application to the magistrate's court for a warrant authorising entry where applicable in relation to any matter.</p>

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CLD3 06	Finance Sub-Committee (Minute 67(iii) – 6.3.74)	CHIEF FINANCIAL OFFICER	DIRECT DEBITING To execute a direct debiting indemnity on behalf of the Council.
CLD4	Policy & Co-ordinating Committee (Minute 44 – 29.11.83)	LEVEL 3 OFFICER AND ABOVE OR ANY LEVEL TWO OFFICER SO AUTHORISED	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.
CLD5	Policy & Resources Committee (Minute 3 – 11.10.73)	LEGAL SERVICES MANAGER	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.
CLD6	Policy & Resources Committee (Minute 3 – 11.10.73)	LEGAL SERVICES MANAGER	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.
CLD7	Policy & Resources Committee (Minute 3 – 11.10.73)	SERVICE DIRECTOR CUSTOMER SERVICES OR DULY NOMINATED OFFICER	DOCUMENTS – DEPOSIT To act as Proper Officer for the purposes of Section 225(1) of the Local Government Act 1972 in relation to the deposit of documents.
CLD8	Standing Order A32 Council (Minute 24(1) – 9.7.91)	CHIEF EXECUTIVE (OR ANY LEVEL 3 OFFICER OR ABOVE))	DOCUMENTS – INSPECTION AND SUPPLY FOR COUNCILLORS To determine requests by members of the Council to inspect or to be provided with copies of Council documents.
CLE1	Council (Minute 105 - 22.2.18)	DEREK MACNAB ACTING CHIEF EXECUTIVE (Deputy Registration Officer: W	ELECTORAL MATTERS (a) Registration Officer under section 8(2)(a) of the Representation of the People Act (RPA) 1983 and

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6		MACLEOD	<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> <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>

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92			<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>
CLE2	Council (Minute 105 - 22.2.18)	DEREK MACNAB RETURNING OFFICER	<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>
CLE3	Council (Minute 105 - 22.2.18)	DEREK MACNAB RETURNING OFFICER	<p>ELECTIONS – FEES AND EXPENSES</p> <p>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.</p>
CLE4	Policy & Co-ordinating Committee (Minute 101 – 1.12.98)	ELECTORAL REGISTRATION OFFICER	<p>ELECTORAL REGISTRATION – PROSECUTIONS</p> <p>To institute and pursue proceedings in relation to electoral registration offences.</p>
CLG1	Council (Minute 19.12.06)	SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL	<p>GAMBLING ACT 2005 – LICENSING FUNCTIONS</p> <p>See Annex A.</p>

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
CLG2	District Development Control Committee (Minute 49 (3) - 26.6.13)	SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL	<p>GROWTH AND INFRASTRUCTURE ACT 2013</p> <p>To determine applications received under Section 7 to modify, remove or discharge affordable housing obligations, subject to:</p> <p>(a) Prior consultation with the Chief Executive and the Monitoring Officer; the Chairman (or in his/her absence, the Vice-Chairman) of the relevant Area Plans Sub-Committee and local ward members; and</p> <p>(b) Details of the application and the resultant Determination being reported in the following issue of the Council Bulletin.</p>
CLH2	Council (Minute 109 - 22.2.18)	CHIEF EXECUTIVE (or in his absence the A NOMINATED LEVEL 4 OR 3 OFFICER)	<p>HEAD OF PAID SERVICE</p> <p>In accordance with Section 4 of the Local Government and Housing Act 1989 designated as Head of the Authority's Paid Service.</p>

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CLH3 94	Council (Minute 54(4) – 20.12.77) Personnel Sub-Committee (Minute 49(6) – 4.10.88)	CHIEF EXECUTIVE SERVICE DIRECTORS, ALL LEVEL 1,2 AND 3 MANAGERS 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.

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CLH4	Council (Minute 52(c) – 12.12.00)	LEGAL SERVICES MANAGER OR ANY LEGALLY QUALIFIED OFFICER WITHIN THE LEGAL SERVICES FUNCTION	<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)</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 Legal Services Manager/Assistant Director Legal Services 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>

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96	Council (Minute 100(5) – 18.4.00)	LEGAL SERVICES MANAGER	To defend High Court Proceedings instituted against the Council (subject to reporting on action taken to the next Cabinet meeting).
CLI1	Council (Minute 34 – 22.7.97)	LEGAL SERVICES MANAGER AND THE RELEVANT LEVEL 3 OR 4 MANAGER	<p>INSOLVENCY – ENFORCEMENT OF DEBTS</p> <p>To issue statutory demands pursuant to Section 268(1)(a) of the Insolvency Act 1986.</p> <p>To take steps to enforce a debt following the commencement of bankruptcy proceedings,</p>
CLI2	Council (Minute 100(6) – 18.4.2000)	SERVICE DIRECTOR BUSINESS SUPPORT SERVICES OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THEM.	<p>INSURANCE – INSTITUTION OF LEGAL PROCEEDINGS</p> <p>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.</p>
CLL1	Policy & Resources Committee (Minute 3 – 11.10.73)	SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL	<p>LAND CHARGES</p> <p>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)</p>
CLL2	Cabinet (Minute 184 – 10.4.06)	SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL	<p>LICENSING</p> <p>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 Annex B, subject to the policies from time to time agreed by the Licensing Committee.</p>

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			To delegate appropriate powers relating to the management and provision of service set out in the attached list of environmental health legislation as set out in Annex B.
CLL3	Licensing Committee (Minute 12 – 15.10.08)	SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL 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 Annex C) except in those circumstances where under the Council's policy they stand referred to the Licensing Sub Committee (see Minute 12 opposite).
CLL4	Council (Minute 48 – 26.9.13)	SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL	LICENSING – SCRAP METAL DEALERS ACT 2013 To implement Annex 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.
CLL5	Policy & Co-ordinating Committee (Minute 24(2) – 8.10.91)	SERVICE DIRECTOR BUSINESS SUPPORT SERVICES/CHIEF FINANCIAL OFFICER	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

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CLL6 8688	Council (Minute 24(1)(2) – 9.7.91)	PEOPLE TEAM MANAGER CHIEF FINANCIAL OFFICER	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).
CLM1	Council (Minute 34 – 22.7.97) (Minute 168 - 20.4.10)	LEGAL SERVICES MANAGER OR IN THEIR ABSENCE ANY APPROPRIATELY QUALIFIED OFFICER NOMINATED BY THEM	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)/MRS L COLE (LITIGATION 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.
CLM2	Council April 2016	CHIEF EXECUTIVE OR SERVICE DIRECTOR OR A LEVEL 2 OFFICER NOMINATED BY THEM	MALADMINISTRATION – POWER TO MAKE PAYMENTS OR PROVIDE OTHER REMEDIES The power to make payments or provide other remedies in cases of maladministration, or in cases by individuals which amount to or could amount to maladministration by the Council.
CLM3	Council (Minute 10 – 15.5.2001)	NATHALIE BOATENG LEGAL SERVICES MANAGER	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.

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
	Council (Minute 70 – 6.11.12) Council (Minute 10 – 15.5.01)	MR STEPHEN TAUTZ	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. To act as Deputy Monitoring Officer(s) 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.
CLO1	Policy and Resources Committee (Minute 3(3) – 11.10.73)	CHIEF FINANCIAL OFFICER	OFFICERS – RECEIPT OF MONEY DUE To act as Proper Officer for the purposes of Section 115 of the Local Government Act 1972).
CLO2	Council (Minute 86 – 15.2.05)	CHIEF EXECUTIVE AND MONITORING OFFICER	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).
CLP1	Council (Minute 105 - 22.2.18)	DEREK MACNAB RETURNING OFFICER	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,
CLP2	Personnel Sub-Committee (Minute 139 – 20.3.90)	SERVICE DIRECTORS	POLITICALLY RESTRICTED POSTS (a) To notify all politically restricted post holders 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.

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
SLP3	Policy and Resources Committee (Minute 3 – 11.10.73)		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).
CLR1	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.
CLR2	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.

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated								
CLR3	Council (Minute 23 – 15.5.08) as amended by Council 28 May 2015	<div>CHIEF EXECUTIVE</div> <div>STRATEGIC DIRECTOR (LEVEL 4 OFFICER)</div> <div>tbd</div>	<div>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</div> <div>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 :</div> <table><tr><th>Role</th><th>Purpose</th></tr><tr><td>Senior Responsible Officer (SRO)</td><td>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>Authorising Officer</td><td>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>Authorising Officer</td><td>To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source,</td></tr></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,
Role	Purpose										
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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,										

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
102		SENIOR LEGAL EXECUTIVE EXECUTIVE ASSISTANT (STRATEGIC SUPPORT)	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.
CLR4	Policy & Co-ordinating Committee (Minute 3 – 11.10.73)	MONITORING OFFICER	RESOLUTIONS – CERTIFICATION To act as Proper Officer for purposes of paragraph 25 of Schedule 4 to the Local Government Act 1972 (certification of resolutions).
CLR5	Council (Minute 29 – 28.6.11) Council (Minute 29 – 28.6.11)	CHIEF EXECUTIVE	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.
CLS1	Personnel Sub-Committee (Minute 2 – 4.10.73) (As amended by Personnel Sub-Committee Minute 169 – 26.9.78)	CHIEF EXECUTIVE STRATEGIC AND SERVICE DIRECTORS	STAFF – APPOINTMENTS PROCEDURE To make all appointments to each service in respect of posts graded below level 3 except appointments where, in the opinion of the Head of the Paid Service, member involvement is considered desirable.
CLS2	Policy & Co-ordinating Committee (Minute 59(b) – 8.2.94)	HEAD OF PAID SERVICE, STRATEGIC AND SERVICE DIRECTORS WITHIN THEIR AREAS OF MANAGEMENT RESPONSIBILITY.	STAFF – MISCELLANEOUS DELEGATIONS To determine staff issues in terms of grading, structure and local conditions of service (subject to consultation with staff representatives).within the budget and policy framework

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
CLS3	Council (Minute 90(5) – 23.2.82)	HEAD OF PAID SERVICE	STAFF – RETIREMENT To offer 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.
CLT2	Resource Committee (Minute 40 – 28.9.93)	SERVICE DIRECTOR BUSINESS SUPPORT SERVICES ANY APPROPRIATELY QUALIFIED STAFF MEMBER WITHIN ACCOUNTANCY SERVICES NOMINATED BY THEM	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.
CLT3	Council decision April 2016	SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL	TREES, CONSERVATION AND RELATED FUNCTIONS To be responsible for delegations set out in Annex E to this schedule
X	NIL		
Y	NIL		
Z	NIL		

**GAMBLING ACT 2005 – TABLE OF DELEGATIONS OF LICENSING FUNCTIONS
SERVICE DIRECTOR RESPONSIBLE FOR LICENSING SERVICE**

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	

**SERVICE DIRECTOR RESPONSIBLE FOR LICENSING SERVICE
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)

**LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY
TO SERVICE DIRECTOR RESPONSIBLE FOR LICENSING SERVICE**

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		

Annex D

SCRAP METAL DEALERS ACT 2013 - DELEGATION OF POWERS TO ERVICE DIRECTOR RESPONSIBLE FOR LICENSING SERVICE

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

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 Service Director, Planning 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 legal services, including injunctive action and recovery of costs;</p> <p>(8) Take appropriate action in respect of notification of works to trees in</p>	

1
2

Function	Relevant Legislation	Relevant Details	Exceptions
		<p>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.

Part 3
Scheme of Delegation
Appendix 5
Scheme of Delegation of Executive Functions

Release note: Dated December 2018, Amendments by Simon Hill to reflect decisions taken by Leader as a result of changes to Service Director Structure
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1. GENERAL PRINCIPLES

- (a) This scheme delegates the powers and duties of the Executive to Cabinet Members and officers as a partnership.
- (b) This scheme delegates powers and duties within portfolios and includes powers and duties under all legislation present and future within those descriptions and all powers and duties incidental to that legislation as well as authorising the affixing of the Common Seal.
- (c) This scheme operates under Sections 9D to 9DA of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and all other powers enabling.
- (d) Officers and Cabinet Members shall keep members (especially ward members) properly informed of activity and its implications arising within the scope of these delegations.

2. GENERAL LIMITATIONS

- (a) Before taking a decision a Cabinet Member shall receive advice from the appropriate officer.
- (b) Any exercise of delegated powers shall be subject to a policy framework approved by the Council or the policies approved by the Cabinet from time to time including the Employment Policies (and Disciplinary Procedures), Equal Opportunities, Service Delivery Policies, and shall be guided by the relevant Codes of Conduct or Council protocols.
- (c) Any exercise of delegated powers shall be subject to:
 - (i) any statutory restrictions;
 - (ii) standing orders;
 - (iii) financial regulations; and
 - (iv) procurement rules.

- (d) In exercising delegated powers, Cabinet members and officers shall not go beyond the provision in the revenue or capital budgets for their service except to the extent permitted by financial regulations and procurement policy.

3. GENERAL PROVISIONS

- (a) This scheme includes the power for officers further to delegate in writing all or any of the delegated functions to other officers (described by name or post) either fully or under the general supervision and control of the delegating officer. Sub-delegations shall be recorded and kept by the relevant Director.
- (b) All action taken under the terms of these delegations shall be properly documented.
- (c) It shall always be open to an officer either to consult with the appropriate Cabinet member on the exercise of delegated powers, or not to exercise delegated powers but to refer the matter to the Cabinet.
- (d) It shall be open to a Cabinet member to determine that the exercise of their delegated powers is not appropriate in cases where a Chief Officer or the Monitoring Officer recommends reference to the Cabinet, where consultation with other members indicates that the matter should be referred to the Cabinet or where the Leader of the Council so directs.
- (d) In exercising delegated powers, officers shall consult with other appropriate officers and shall have regard to any advice given.
- (e) In this scheme "officer" means the holder of any post named in this scheme as having delegated powers and duties.

4. SPECIFIC DELEGATIONS

4.1 Leader of Council

Exercise of the powers and duties of the Leader of the Council in accordance with Section 9E of the Local Government Act 2000 including:

- (a) appointment of other Cabinet members up to a maximum of 9;
- (b) allocation of responsibility for executive functions to Cabinet Members and Service Directors;
- (c) establishment and terms of reference of Cabinet Committees;
- (d) approval of representatives on outside organisations directly involved in the carrying out of executive functions;

- (e) appointment of a Deputy Leader of the Council.

4.2 Cabinet Members

Decisions on executive functions falling within the allocated Cabinet service portfolio, and which are not delegated to officers.

4.3 Officers

May take any decision which:

- (a) implements a policy or decision previously approved or taken by the Council, the Cabinet or a Cabinet member;
- (b) facilitates or is conducive or incidental to the implementation of a policy or decision previously taken by the Council, the Cabinet or a Cabinet member;
- (c) relates to the management of the human, material and financial resources made available for carrying out the functions for which they are responsible; and
- (d) matters delegated by the Council, the Cabinet, a Committee or Subcommittee from time to time under this scheme.
- (e) matters that are legally permissible and within that officers area of control (see table and key below):

Key:

Officer Levels: Level 4 – Chief Executive, Strategic Directors, Level 3 – Service Directors, Level 2 – Service Manager

The following table gives an indication of the scope of control of the current management structure, delegations made under this scheme of delegation can be made by the officers listed insofar as those further delegations are:

Service Director Officer Role:	Current services (December 2018)
Business Support Services	People Team, Business Support, Building Services, Reprographics, ICT, Accountancy, Treasury Management, Insurance, Accounts payable, Land Charges, Health and Safety, Emergency Planning and business continuity, Legal Services

Service Director Officer Role:	Current services (December 2018)
Contract and Technical Services	Waste and Recycling, Car Parking, Leisure Management, Fleet Operations, Land Drainage, Contaminated Land, Grounds Maintenance, Arboriculture, Countrycare, Highways liaison, Procurement
Commercial and Regulatory Services	Estates and valuation, North Weald Airfield, Licensing, Building Control, Environmental Health and Environmental Co-ordination, Private Sector Housing,
Community and Partnership Services	Community Safety , Environment and Neighbourhood Services, Safeguarding, Community Health and Wellbeing and Museum, Heritage and Culture, Grant Aid, Youth Council, Local Strategic Partnership, Economic Development, Tourism, CARE Agency and Grants
Customer Services	Customer Services, Compliments and Complaints, Corporate Communications, Website, Public consultation, Revenues, Benefits, Debt recovery, cashiers, Democratic Services, Civic and Members Services, Elections, Data Protection/Freedom of Information,
Currently allocated to a Strategic Director	Transformation Programme, Project Management, Performance Monitoring, Corporate Plan/Equalities.
Housing and Property Services	Housing Management, Housing Options, Older peoples Housing, Home ownership, Housing Repairs, Housing Assets, Housing Development, Facilities Management, Depot Management.
Planning Services	Development Management, Planning Policy, Garden Town Liaison, Local Plan Implementation, Planning Enforcement, Tree Preservation, Landscape, Built Heritage, Conservation,

5. SPECIAL CIRCUMSTANCES

- 5.1 Where the proposed decision affects more than one service portfolio, there shall be an obligation for the other Cabinet members to be consulted before a decision is made.
- 5.2 Where a decision is of corporate significance or where there is a conflict of view, such matter shall stand referred to the Cabinet for consideration.
- 5.3 Cabinet members shall, in the exercise of delegated powers, consult with the Chairman of the appropriate Overview and Scrutiny Committee and the ward Councillor(s) where appropriate.
- 5.4 Cabinet Members shall have regard to the requirements of the Council's petitions procedure when making decisions on matters raised in such representations.

EXECUTIVE FUNCTIONS – DELEGATION BY THE LEADER OF COUNCIL

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXA1	Finance Sub-Committee (Minute 398 - 31.1.80)	ANY LEVEL 3 OR 4 OFFICER WITHIN THEIR MANAGEMENT CONTROL	AGENDA AND MINUTES - CHARGES TO SUBSCRIBERS To approve charges.
EXA2	Housing Committee (Minute 74 – 4.3.92)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES	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.
EXA3	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.
EXA4	By Leader Decision dated: 26 April 2016	SERVICE DIRECTOR COMMUNITY AND PARTNERSHIPS OR A LEVEL 2 MANAGER NOMINATED BY THEM.	ASB Crime & Policing Act 2014 (see also Annex B for other delegations) Part 2 Criminal Behaviour Orders (CBO) Section 29 To act in cooperation with the Chief Officer of Police when carrying out a review of a CBO on a person under 18 using existing ASB process (10.5) as attached. Part 4, Chapter 3, Section 77 (2) (b) – Closure Notices To issue closure notices of 24 and 48 hours pursuant to the above section.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXA5	Cabinet (Minute 14(4) – 6.10.14)	SERVICE DIRECTOR FOR HOUSING AND PROPERTY OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXB1	Development Committee (Minute 19 – 30.5.2000)	ANY LEVEL 4 MANAGER AND SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING ACT 1984 – SECTION 95 AUTHORISATION To authorise designated postholders to exercise powers under Section 95 of the Building Act 1984 to enter premises in connection with the enforcement of the Building Regulations.
EXB2	Development Committee (Minute 23(1) – 6.2.74) Council Minute (Minute 24(1) - 9.7.91)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING REGULATIONS To determine applications under the Building Regulations and associated legislation, including the Building Act 1984,

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXB3	Development Committee (Minute 35(1) – 15.7.99)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR BUILDING CONTROL SURVEYORS NOMINATED BY THEM	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)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING ACT 1984 To carry out the following functions under the Building Act 1984: (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.
EXB4	Personnel Sub-Committee (Minute 138 – 20.3.90) and Development Committee	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXB5		SERVICE DIRECTOR HOUSING AND PROPERTY SERVICE OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUY-BACK OF FORMER COUNCIL HOUSING To decide, in consultation with the relevant 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.
EXC1	Transportation Committee (Minute 115 – 26.1.93)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARK TARIFFS To determine individual tariffs in off-street Pay and Display Car Parks within agreed policy.
EXC2	Personnel Sub-Committee (Minute 79 – 17.11.81)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARKS (COUNCIL) To determine applications to use Council office car parks. (See also under "Offices – Use of")
EXC3	Policy & Co-ordinating Committee (Minute 44(3) - 29.11.83)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARKS (PUBLIC) To approve the use of Council car parks by charitable organisations or for other charitable purposes.
EXC4	Policy and Co-ordinating Committee (Minute 66(a) - 4.12.90)	CHIEF EXECUTIVE	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.
EXC5	Executive Committee (Minute 449 - 11.3.02)	ANY LEVEL 4 OR 3 MANAGER	COMPLAINTS AND COMPLIMENTS PROCEDURE To make payments up to £250 in respect of upheld complaints at Stages 1 & 2
EXC6	Council		COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	(Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	BIDS FOR WORK INSIDE THE DISTRICT To submit bids for work inside the District, to utilise spare capacity/manpower only.
EXC7	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.
EXC8	Policy and Resources Committee (Minute 347 - 14.2.78)	ANY LEVEL 4, 3 or 2 MANAGER	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.
EXD1	Council (Minute 52 – 12.12.2000)	SERVICE DIRECTOR CUSTOMER SERVICES, SERVICE MANAGER LEGAL SERVICES (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.
EXD2	Cabinet minute 25(3) – 23.7.15	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL MANAGER NOMINATED BY THEM	DEVELOPMENT AGREEMENTS To enter into Development Agreements with private developers, and agree terms for the purchase, for affordable rented housing required to be provided by developers in accordance with Section 106 Agreements, where an opportunity is presented that is considered suitable and appropriate subject to the value being no more than the value considered by the Council to require a key decision.
EXE1	Policy & Co-ordinating Committee (Minute 78 - 1.12.81)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMIATED	ENERGY MANAGEMENT & CONSERVATION To implement the Council's policy.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
122		BY THEM	
EXE2	Personnel Sub-Committee (Minute 67 - 24.11.87)	ANY LEVEL 4 OR 3 MANAGER	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.
EXF1	Leisure Services Committee (Minute 5 - 23.5.91)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES (LEISURE CONTRACT) , SERVICE DIRECTOR COMMUNITY AND PARTNESHIPS (CULTURAL AND COMMUNITY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	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 Community Health and Wellbing and Museum, Heritage and Culture 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.
EXF2	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.
EXG1	Portfolio Holder Decision HSG-029 – 2009/10	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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
EXH1	Housing Services Committee (Minute 155 - 12.2.80)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<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>
EXH2	Council Housebuilding Cabinet Committee (Minute 4 (5) – 10.7.13)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<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>
EXH3	Council Housebuilding Cabinet Committee (Minute 5 (3) – 10.7.13)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<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>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<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.
EXH4	Housing Committee (Minute 125-27.1.97)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION – ALLOCATION</p> <p>To allocate accommodation in accordance with the Housing Allocations Scheme.</p>
EXH5	Housing Committee (Minute 49 – 30.10.91)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION - DESIGNATION FOR ELDERLY</p> <p>To cancel designations.</p>
EXH6	Housing Committee (Minute 41(20) & (21) – 17.9.96)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION – TENANCIES FOR 'LIVE IN' CARERS</p> <p>To grant requests to provide or extend joint tenancies to 'live in' carers where such requests are considered to be justified.</p>
EXH7	Housing Committee (Minute 93(b) - 11.3.87)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED	<p>HOUSING DEFECTS - PLANNING APPLICATIONS FOR REINSTATEMENT WORKS</p> <p>To submit applications for deemed planning consent in connection with the reinstatement of all Council owned designated defective dwellings.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		BY THEM	
EXH8	Portfolio Holder Decision (1.3.04)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXH9	Council (Minute 23(7)(2) - 29.6.82) Housing Committee (Minute 116(4) - 26.1.98)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (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.
EXH10	Deleted July 2018		
EXH11	Cabinet (Minute 155 – 6.2.06)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXH12	Housing Committee (Minute 74 - 4.3.92)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING REGISTER RULES – WAIVING To waive Housing Register Rules where the Director of Communities considers there are good grounds for so doing.
EXH13	Housing Services Director Committee (Minute 6(a)(iii) - 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2	(HOUSING) MUTUAL EXCHANGES To approve applications under the Mutual Exchange Scheme.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		MANAGER NOMINATED BY THEM	
EXI1	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).
EXI2	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
EXL1	<p>Council (Minute 23 – 15.5.08)</p> <p>Cabinet (Minute 42 – 29.7.13)</p>	<p>SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES AND ANY LEVEL 2 MANAGER NOMINTED BY THEM (AND RELEVANT STAFF DULY AUTHORISED TO ACT ON HIS BEHALF)</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								
EXL2	Leader decision May 2016	<p>SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL TWO MANAGER NOMINATED BY THEM</p> <p>(in amounts shown in column 4)</p> <p>SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES (or officer duly authorised) for Land held under Housing Act Powers Only</p>	<p>LANDLORD AND TENANT - MANAGEMENT OF COUNCIL PROPERTY</p> <p>(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.</p> <p>(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</p> <p>(c) For all property transactions including acquisitions, disposals, new lettings, lease renewals, lease surrenders, rent reviews, sub-lettings / assignments, all licences (including change of use, alterations), deeds of variations, wayleaves and rights of way, and licences to cross council land.</p> <p>Officers delegated to approve the above transactions for the following amounts and by the Officer approval levels shown:</p> <p>Revenue transactions:</p> <table><tr><td>level two manager –</td><td>upto £25,000 per year</td></tr><tr><td>Service Director -</td><td>£25,001 to £100,000 per year</td></tr></table> <p>Capital Transactions:</p> <table><tr><td>level two manager –</td><td>upto £50,000 per transaction</td></tr><tr><td>Service Director -</td><td>£50,001 to £500,000 per transaction</td></tr></table> <p>(d) To approve licences to assign and licences for change in use in consultation with the relevant Portfolio Holder.</p>	level two manager –	upto £25,000 per year	Service Director -	£25,001 to £100,000 per year	level two manager –	upto £50,000 per transaction	Service Director -	£50,001 to £500,000 per transaction
level two manager –	upto £25,000 per year										
Service Director -	£25,001 to £100,000 per year										
level two manager –	upto £50,000 per transaction										
Service Director -	£50,001 to £500,000 per transaction										
EXN1	Policy and Co-ordinating Committee Minute 44(3) – 29.11.83	<p>SERVICE DIRECTOR BUSINESS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM</p>	<p>NAMING OF STREETS</p> <p>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.</p>								
EXN2	Council (Minute 138 –	<p>SERVICE DIRECTOR</p>	<p>NORTH WEALD AIRFIELD - NON COMMERCIAL LETTINGS</p>								

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	28.4.09) Portfolio Holder Decision L/001/2005/6 dated 20.5.05	COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>(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.</p> <p>(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,</p> <p>(c) That subject to compliance with the Council's policy to sanction the Concessionary Hire of Leisure Facilities by, or on behalf of, registered charities, for Fundraising Events.</p>
EXN3	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.
EXN4	Cabinet (Minute 142 – 14.3.05)	SERVICE DIRECTORS FOR COMMERCIAL AND REGULATORY AND COMMUNITY AND PARTNERSHIPS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (or authorised 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
EXO1	Personnel Sub-Committee (Minute 79 – 17.11.81)	ANY LEVEL 4 OR 3 MANAGER	OFFICES - USE OF To determine applications to use Council offices (See also under "Car Parks (Council)").
EXO2	Cabinet Minute 151(10) – 18.4.11	SERVICE DIRECTOR HOUSING AND	OFF STREET CAR PARKING SCHEMES

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		PROPERTY SERVICES	"To submit planning applications for future off-street parking schemes at the appropriate time after the resident consultation exercise."
EXO3	Policy and Resources Committee (Minute 3 – 11.10.73)	SERVICE DIRECTOR BUSINESS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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).
EXP1	Leader Decision dated April 2016	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM PRINCIPAL BUILDING CONTROL SURVEYOR	PARTY WALL ACT 1996 SECTION 10 (8) To act as Appointed Officer pursuant to Section 10(8) of the Party Wall Act 1996 which allows the appointment of a third surveyor to resolve party wall disputes.
EXP2	Policy and Co-ordinating Committee (Minute 99 – 21.11.89)	SERVICE MANAGER LEGAL SERVICES	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 they consider that the Attorney General's guidelines for prosecutions in a private prosecution for assault are satisfied.
EXP3	Environment Portfolio Holder Decision ENV-004-2017/18	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES Or suitably qualified officers	Pollution Prevention - Idling vehicles Fixed Penalty Notices Authority under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to issue fixed penalty notices in respect of idling vehicles.
EXP4	Housing Committee (Minute 74 – 4.3.92)	SERVICE MANAGER LEGAL SERVICES IN CONSULTATION WITH A RELEVANT LEVEL 4 OR	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.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	<p>Housing Management Sub Committee (Minute 161 – 15.2.77)</p> <p>Portfolio Holder Decision (24.3.2004)</p>		<p>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>
EXP6	Deleted December 2018		
EXP7	Cabinet (Minute 109 – 18.12.06)	SERVICE DIRECTOR COMMUNITY AND PARTNERSHIPS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>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)</p> <p>To exercise the powers and duties under relevant legislation. (See also ‘Private Sector Housing – General’)</p>
EXP8	Cabinet (Minute 184 – 10.4.06)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>PRIVATE SECTOR HOUSING – GENERAL</p> <p>To exercise the powers and duties set out in Annex A including powers of entry by warrant where this is not specified in the legislation listed.</p> <p>To authorise updates to the list of legislation set out in Annex A (see also ‘Private</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			Sector Housing)
EXR2	Housing Portfolio Holder Decision HSG-027-2015/16 Dated 11 February 2016	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINTADE BY THEM	RENEWAL OF LEASES WITH NACRO To renew leases (and any subsequent leases) on expiry for a further 5 years on the 12 properties currently leased to NACRO provided there is a continuing need to accommodate vulnerable younger homeless applicants.
EXR3	Housing Management Sub-Committee (Minute 152(c)(2) – 11.3.80)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINTADE BY THEM	RENT ARREARS - DECEASED TENANTS To write off rent arrears in respect of deceased tenants, where there is no means of recovering the debt.
EXR4	Cabinet Minute 46 – 12.9.11	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXR5	Housing Portfolio Holder Decision HSG-001-2018/19	ANY LEVEL 4 MANAGER AND SERVICE DIRECTOR HOUSING AND PROPRTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	AUTHORITY FOR RIGHT TO BUY (RTB) SALES AND POST-COMPLETION RELATED MATTERS To sell the freehold or leases of properties in accordance with then current legislation. Example as of the terms of sale that are prescribed by legislation are: <ul style="list-style-type: none"> • The discount level applicable at the time of sale of a property,

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
134			<ul style="list-style-type: none"> • which tenants fulfil the criteria for purchasing their properties (freehold or leasehold) • the method of valuation of a property. <p>To re-mortgage the property without repaying the discount. If the reason the loan is requested for is one specified by statute the Council has no discretion but to consent. There may also be additional borrowing involved (which the Council would agree to postpone its charge for in accordance with statute).</p> <p>Re-mortgages where the Director of Communities agrees, if the Council wishes to exercise its discretion and agree to postpone its charge in respect of additional borrowing, which is not to be used for one of the statutory 'approved purposes'.</p> <p>If the owner of a RTB property intends to sell within 10 years, the Council must first be offered the right to buy it back. The Council would either proceed to buy the property back (the purchase being in accordance with statute) or issue a consent to the Land Registry allowing the property to be sold on the open market.</p> <p>To the release of a restriction / charge on the title to a property if the owner repays the discount or the relevant time period has lapsed. (i.e for matters relating to repayment of discount, discharge of legal charge, redemption of mortgage(s) etc.)</p> <p>For leaseholders, to extend the term of a lease for an additional ninety years from the end of the current lease term. The provisions of the new lease and method of valuation are specified by statute.</p> <p>For leaseholders, to purchase the freehold of a block of flats and the estate if sufficient numbers of tenants apply to the Council. Again the process to be followed is set out in legislation.</p> <p>For subsequent purchasers of freehold properties to enter onto a Deed of Covenant to ensure that they are bound by the positive covenants mentioned in the Transfer (which do not run with the land).</p> <p>To enter into Deeds of Rectification / Variation to enable us to rectify errors relating to title, plans etc.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>To give delegated authority to the Director of Communities to determine requests for the release of covenants restricting development within the curtilages of properties previously sold under the Right to Buy, and whether or not the release should be agreed, having regard to what would be the reasonable viewpoint of both parties, noting that the Council is not entitled to any payment for the release of the covenant (other than payment of the Council's reasonable legal costs), in accordance with current case law.</p> <p>(The Housing Act 1985 and various other acts and subsequent legislation (i.e. statutory instruments) govern the Right to Buy sales and other related matters; the list mentioned above is not exhaustive. Any future legislation will also impact the way such matters are dealt with.)</p>
EXS1	<p>Cabinet (Minute 184 – 10.4.06)</p> <p>Leader decision 2/11 (May 2011)</p> <p>Portfolio Holder Decision ENV/004/2009-10</p> <p>Council (Minute – 20.4.10)</p>	<p>SERVICE DIRECTORS CONTRACTS AND TECHNICAL SERVICES OR COMMERCIAL AND REGULATORY SERVICESs (or suitably qualified officers authorised by the above-named)</p> <p>Appropriate Portfolio Holder</p>	<p>“SAFER, CLEANER, GREENER” LEGISLATION – AUTHORISATION OF OFFICERS</p> <p>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 Annex B including, where necessary, powers of entry by warrant.</p> <p>To delegate appropriate powers to Officers 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 Annex B.</p> <p>To approve updates to the list of environmental legislation set out in Annex B.</p>
EXS2	<p>Council (Minute 24(2) – 30.6.81)</p>	<p>SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER</p>	<p>SALE OF COUNCIL HOUSES - DISCOUNTS</p> <p>To determine, under Part V of the Housing Act 1985, applications for discounting of entitlement periods where a potential purchaser lives with their parents.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		NOMINATED BY THEM (after considering the views of the Portfolio Holder)	
EXS3	Council (Minute 40(4) – 15.7.86) Housing Committee Minute 117(5) & (6)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXS4	Council (Minute 11(c) – 2.6.77)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	SALE OF COUNCIL HOUSES - VALUATIONS To carry out all valuations in respect of sale of Council houses.
EXS5	Policy and Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	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).
EXS6	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.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXS7	Housing Committee (Minute 121 – 8.11.77)	SERVICE MANAGER LEGAL SERVICES (in consultation with Service Director Housing and Property Services)	SQUATTERS - EVICTION To take such urgent action as is necessary to secure the vacation of any Council properties, which are occupied by squatters.
EXS8	Deleted July 2018		
EXS9	Personnel Sub-Committee (Minute 3 – 31.5.83)	ANY LEVEL 3 OR 4 MANAGER	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.
EXS10	Deleted July 2018		
EXS11	Policy & Co-ordinating Committee (Minute 23 – 5.10.93)	ANY LEVEL 3 OR 4 MANAGER	SUBSCRIPTIONS - OUTSIDE ORGANISATIONS To pay subscriptions in respect of organisations on which the Council is represented at member level.
EXS12	Public Health Committee (Minute 46 – 19.9.84)	SERVICE MANAGER LEGAL SERVICES IN CONJUNCTION WITH THE RELEVANT SERVICE DIRECTOR	SUNDAY TRADING - CAR BOOT SALES To institute proceedings in respect of such sales where complaints have been received and satisfactory evidence is available.
EXS13	Portfolio Holder decision reference H/026/2002-3	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINTADE BY THEM	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
EXT1	Council Minute 127 – 23.4.13	CHIEF FINANCIAL OFFICER	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.
EXT2	Personnel Sub-Committee (Minute 37 – 14.2.74)	ANY LEVEL 3 OR 4 MANAGER OR LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXT3	Housing Services Committee (Minute 6(a)(iii) – 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	TENANCIES - COUNCIL HOUSES To allocate tenancies in accordance with the Housing Allocation Scheme.
EXT4	Portfolio Holder Decision (23.8.04)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXT5	Housing Management Sub-Committee (Minute 33(c)(2) – 15.5.74)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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
EXU1	Housing Portfolio Holder Decision HSG/-33/2013-14	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	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.
EXW1	Housing Services Committee (Minute 6(d)(1) – 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	WARRANTS OF DISTRAINT To issue warrants of distraint in housing cases.
EXW2	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)	SERVICE MANAGER LEGAL SERVICES IN CONSULTATION WITH THE RELEVANT SERVICE DIRECTOR	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.
EXW3	Public Health Committee (Minute 144(a) – 9.3.77)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (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.

DELEGATIONS UNDER THIS ANNEX MAY BE UNDERTAKEN BY ANY CHIEF OFFICER (OR OFFICER APPOINTED BY THEM) PURSUANT TO THEIR AREA OF MANAGERIAL RESPONSIBILITY

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.

Caravan Sites and Control of Development Act 1960

Sections 1, 2, 3, 4-5, 8-11, 12, 23, 24, 25, 26.

Caravan Sites Act 1968

Sections 3, 14.

Civil Evidence Act 1995

Section 9.

Clean Neighbourhoods and Environment Act 2005

Sections 102, 103.

Criminal Procedure and Investigations Act 1996

Section 26.

Environmental Protection Act 1990

Sections 79-82, Schedule 3.

Home Energy Conservation Act 1995

Sections 2, 5.

Home Safety Act 1961

Section 1.

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.

Housing Grants, Construction and Regeneration Act 1996

Sections 1-3, 19, 21-24, 29-31, 34-44, 51, 52, 55-57, 95.

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.

Landlord and Tenant Act 1985

Sections 1, 2, 4, 8, 11, 12, 20, 34.

Local Government Act 1974

Section 36.

Local Government and Housing Act 1989

Sections 89-93, 95, 97, 169.

Local Government (Miscellaneous Provision) Act 1976

Section 13, 15, 16, 33, 35.

Local Government (Miscellaneous Provision) Act 1982

Sections 27, 29, 30, 31, 32, 33, 37, 41.

Planning and Compensation Act 1991

Sections 196A-C

Prevention of Damage by Pests Act 1949

Sections 4-7, 10, 22, 26.

Protection from Eviction Act 1977

Sections 6, 7.

Protection from Harassment Act 1997

Sections 1, 6, 7.

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.

Public Health Act 1961

Section 17, 22, 34, 36, 37, 73, 74.

Town and Country Planning Act 1990 (as amended)

Sections 215 – 219

DELEGATIONS UNDER THIS ANNEX MAY BE UNDERTAKEN BY ANY CHIEF OFFICER (OR OFFICER APPOINTED BY THEM) PURSUANT TO THEIR AREA OF MANAGERIAL RESPONSIBILITY

LIST OF SAFER, CLEANER, GREENER LEGISLATION

Animal Boarding Establishments Act 1963

Sections 1, 2 and 4.

Animal Welfare Act 2006

All

Anti-Social Behaviour Act 2003

Sections 40 and 41

Anti-Social Behaviour, Crime and Policing Act 2014

Sections 43 to 68

Breeding and Sale of Dogs (Welfare) Act 1999

All

Breeding of Dogs Act 1973

All

Breeding of Dogs Act 1991

All

Building Act 1984

Sections 59-62, 63, 64, 66, 67, 68, 71, 76, 79, 84-85, 91-115

Burial Act 1857

Section 25

Caravans Sites and Control of Development Act 1960

All

Charities Act 2006

All

Chronically Sick and Disabled Persons Act 1970

Section 4

Cinemas Act 1985

All

Civil Contingencies Act 2004

All

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.

Clean Neighbourhoods and Environment Act 2005

All

Consumer Rights Act 2015

Schedule 5

Contaminated Land (England) Regulations 2006 as amended by the Contaminated Land (England)(Amendment) Regulations 2012

All

Control of Dogs Order 1992

Sections 4 and 5

Control of Pollution Act 1974

Section 22

Section 23

Sections 57, 60, 61, 62, 68, 91 and 93

Control of Pollution (Amendment) Act 1989

All

Crime and Disorder Act 1998

Section 1

Criminal Justice and Police Act 2001

Sections 13, 19, 20, 22 and 25

Sections 50, 52 to 55 and 60 to 62

Criminal Justice and Public Order Act 1994

Sections 77, 78, 79(3), and 163

Criminal Procedure and Investigations Act 1996

Section 26

Dairy Products (Hygiene) Regulations 1995 Regulations 6, 6(11), 7, 8, 16 and 19**Dangerous Dogs Act 1991**

Section 5

Dangerous Wild Animals Act 1976

Sections 1, 3(1) to 3(3) and 4

Egg Products (Regulations) 1993

Regulations 5, 5(5), 8 and 9

Environment Act 1995

Sections 82 to 84, 88 and 90

Sections 108 to 113

Paragraphs 2 and 6 of Schedule 18

Environment and Safety Information Act 1988

Sections 1 and 3

Environmental Permitting (England and Wales) Regulations 2010

All

Environmental Protection Act 1990

Parts I, II, III, IV, VIII.

Epping Forest DC Bye laws for Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis

All

Food Premises (Registration) Regulations 1991

All

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

All

Food Safety & Hygiene (England) Regulations 2013 (as amended)

All

Food Safety Act 1990

Sections 5 and 6

Sections 9 and 10

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

Section 12

Sections 18, 19, 23, 27 and 28

Section 29

Section 30

Section 31

Section 32

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

Game Act 1831

Section 18

Gambling Act 2005

All

Guard Dogs Act 1975

Section 3

Health Act 2004

Sections 1 to 12

Health and Safety at Work etc Act 1974

Sections 20, 21, 22, 25 and 39 and to exercise all the powers of an inspector contained in all the other relevant statutory provisions. To institute proceedings in England and Wales pursuant to section 38.

Home Safety Act 1961

Section 1

Licensing Act 2003

All

Local Government (Miscellaneous Provisions) Act 1976

Sections 13, 15, 16, 20, 33, 35, Part II

Local Government (Miscellaneous Provisions) Act 1982

Sections 2, 27, 29, , 32

Meat and Meat Preparations (Hygiene) Regulations 1995

Regulations 4, 5 and 12

Meat Products (Hygiene) Regulations 1994

Regulations 4 to 6, 12 and 17

National Assistance Act 1948

Section 47

Noise Act 1996

All

Noise and Statutory Nuisance Act 1993

Section 10

Official Feed and Food Controls (England) Regulations 2009

All

Performing Animals (Regulation) Act 1925

Sections 1 to 4

Pet Animals Act 1951 (as amended)

All

Police and Criminal Evidence Act 1984

Section 67(9)

Pollution Prevention and Control Act 1999

Section 2

The Pollution Prevention and Control (England and Wales) Regulations 2000

All

Poultry Meat (England) Regulations 2011

All

Prevention of Damage by Pests Act 1949

Sections 2, 4 to 7, 10, 19, 22 and 26

Private Water Supplies (England) Regulations 2016

All

Public Health (Control of Disease) Act 1984

Sections 1, 11, 13, 16, 18, 20 to 24, 26 to 32 and 34 to 43, 47, 48, 54, 56 to 59, 61, 64 and 69

Public Health Act 1925

Section 14

Sections 17 to 19

Section 56

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

Public Health Act 1961

Sections 17, 22, 34, 36, 37, 45, 73, 74 and 77

Refuse Disposal Amenity Act 1978

Sections 1, 2, 3, 4, 5, 6, 7 and 8

Riding Establishments Acts 1964 and 1970

All

Scrap Metal Dealers Act 2013

All

Slaughter of Poultry Act 1967

Sections 4 and 6

Sunbeds (Regulation) Act 2010

All

Sunday Trading Act 1994

Section 2(3)

Paragraphs 4(3) and 5 of Schedule 1

Paragraphs 1 and 2 of Schedule 2

Paragraphs 3, 7 and 8 of Schedule 3

Town and Country Planning Act 1990

Sections 215, 224 and 225

Town Police Clauses Act 1847 and 1889

Sections 21, 37 to 68

Water Industry Act 1991

Sections 77 to 85

Section 115

Section 200

Water Supply (Water Quality) Regulations 2016

All

Zoo Licensing Act 1981

All

SH July 2018 – Agreed With S Stranders