

## REVIEW OF OFFICER DELEGATION – COUNCIL

Delegation Reference	Subject	Proposed Delegation Arrangements	Notes
1. NEW	Planning Enforcement – Direct Action under Section 178 of the Town and Country Planning Act 1990	<p>Director of Planning and Economic Development.</p> <p>To authorise direct action (or re-charge the cost of such action) in pursuit of a valid Enforcement Notice under Section 178 of the Town and Country Planning Act 1990, subject to budgetary provision being available for the purpose.</p>	<p>Section 178 allows the Council to take direct action in pursuit of a valid enforcement notice. This is a procedure which has rarely been utilised by EFDC but the procedure may be a way of addressing serious breaches of planning control which might otherwise have to await the normal enforcement process.</p> <p>Currently, approval for using Section 178 powers would have to be obtained from the District Development Control Committee or an Area Plans Sub Committee. If funding to carry out work was not available in existing budgets, a Portfolio Holder or the Cabinet would also need to approve additional funding. Those approvals would extend the timescale for taking action.</p> <p>This matter has been raised by the District Development Control Committee on 8 August 2012. The intention is to speed up the process should such action be thought necessary. Delegation to the Director of Planning and Economic Development would avoid the need for a Committee report.</p>
2. NEW	Constitution – Minor Amendments	<p>Monitoring Officer</p> <p>To make amendments to the Constitution to reflect the following:</p> <p>(a) statutory changes over which the Council has no control; and</p> <p>(b) minor drafting and clerical errors.</p>	<p>It is considered that delegated authority should be available to make minor changes to the Constitution where legislation changes or where there are typographical or drafting errors which are discovered.</p> <p>The delegated authority would not extend to changes which have not been agreed by the Council.</p>