

## 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 and to ward councillors being notified.</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. 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. Exercise of this delegated authority will be subject to a report to all members of the Council on changes made by means of the Council Bulletin.</p>