

**PART TWO – COUNCIL AND
REGULATORY FUNCTIONS**

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

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL1	Council - 29.10.85 (Minute 57(2))	DIRECTOR OF GOVERNANCE	<p>ACCESS TO INFORMATION ACT 1985 – PROPER OFFICER</p> <p>To act as Proper Officer for the purposes of the Act generally and in particular for the purposes of –</p> <ul style="list-style-type: none"> Section 100(B)(2) – circulation of reports and agenda Section 100(B)(7)(c) – supply of documents to the press Section 100(C)(2) – summaries of minutes Section 100(D)(1)(a) – compilation of lists of background papers Section 100(D)(5)(a) – identification of background papers Section 100(F)(2) – papers not open to members
CL2	Policy & Co-ordinating Committee (Minute 62(1) - 11.2.86)	CHIEF EXECUTIVE SERVICE DIRECTORS	<p>ACCESS TO INFORMATION ACT 1985 – DEPOSIT OF BACKGROUND DOCUMENTS</p> <p>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.</p>
CL3	Policy & Co-ordinating Committee (Minute 56 – 30.9.97)	DIRECTOR OF GOVERNANCE	<p>AFFIDAVITS – SWEARING OF</p> <p>To secure sworn affidavits from any member of Council staff where required by the Council.</p>
CL4	Council (Minute 104(5) – 19.4.83)	CHIEF EXECUTIVE SERVICE DIRECTORS	<p>APPRAISAL OF TOP MANAGEMENT*</p> <p>To implement the Council’s scheme for staff performance development reviews (*NB. ‘Top Management’ includes Service Directors)</p> <p>APPRAISAL OF STAFF</p> <p>To implement the Council’s scheme for staff performance development reviews (NB excluding Service Directors).</p>

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

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

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

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

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CL19	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCIL MEETINGS – SIGNATURE OF SUMMONS TO ATTEND To act as Proper Officer in accordance with Schedule 12 (paragraph 4(2)(b) of the Local Government Act 1972 as to the signing of the summons.
CL20	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCILLORS – ACCEPTANCE OF OFFICE 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.
CL21	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCILLORS – RESIGNATION FROM OFFICE To act as Proper Officer for the purposes of Section 84 of the Local Government Act 1972, in respect of the receipt of notices of resignation from office by councillors.
CL22	Council (Minute 49 – 18.12.01)	DIRECTOR OF GOVERNANCE	COUNCILLORS – SUBSTITUTES To receive notices from Group Leaders regarding the appointment of substitute members, subject to certain conditions.
CL23	Council (Minute 100(7) – 18.4.2000)	DIRECTOR OF GOVERNANCE	COURT, TRIBUNAL, INQUIRY PROCEEDINGS – ENGAGEMENT OF STAFF AND ADVICE To appoint appropriate staff and/or external Solicitors and/or Counsel to appear for, conduct and settle proceedings on behalf of the Council in Courts, tribunals, inquiries and other similar venues.
CL24	Council (Minute 78(4) – 17.2.85)	DIRECTOR OF GOVERNANCE	DATA PROTECTION ACT 1984 To act as Proper Officer for the purposes of the Data Protection Act 1984 for the receipt of notices.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL25	Finance Sub-Committee (Minute 67(iii) – 6.3.74)	DIRECTOR OF RESOURCES	DIRECT DEBITING To execute a direct debiting indemnity on behalf of the Council.
CL26	Policy & Co-ordinating Committee (Minute 44 – 29.11.83)	SERVICE DIRECTORS/ DIRECTOR OF RESOURCES	DISTURBANCE COMPENSATION To grant disturbance allowances following home loss in appropriate cases and subject to the budgetary provision of the Council, in any one year, not being exceeded and in accordance with the Land Compensation Acts.
CL27	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – AUTHENTICATION To act as Proper Officer for the purposes of Section 234(1) – (2) of the Local Government Act 1972 for the purposes of authentication of documents.
CL28	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – CERTIFICATION OF PHOTOGRAPHIC COPIES To act as Proper Officer for the purposes of Section 229(5) of the Local Government Act 1972 for the purposes of certifying photographic copies of documents.
CL29	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – DEPOSIT To act as Proper Officer for the purposes of Section 225(1) of the Local Government Act 1972 in relation to the deposit of documents.
CL30	Standing Order A32 Council (Minute 24(1) – 9.7.91)	CHIEF EXECUTIVE (or in his absence the DEPUTY CHIEF EXECUTIVE)	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.
CL31	Council Minute – 19.4.05	G CHIPP CHIEF EXECUTIVE (Deputy registration officer : TBD	ELECTORAL MATTERS (a) Registration Officer under section 8(2)(a) of the Representation of the People Act (RPA) 1983 and

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			<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> <p>continued</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>(f) Nominated Local Returning Officer under Section 54 of the Police & Social Responsibility Act 2011</p> <p>(Duties: conduct of elections for Police & Crime Commissioners under the direction of County Returning Officer.)</p> <p>(g) Nominated Local Counting Officer for the purposes of Section 128 of the Political Parties, Elections and Referendums Act 2000.</p> <p>(Duties: conduct of national referendums under the direction of the Chief Counting Officer (i.e. the Chief Executive of the Electoral Commission).</p>
CL32	Council Minute 75(8) – 14.12.04	G CHIPP RETURNING OFFICER	<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>
CL33	Council Minute 115 – 19.4.05	G CHIPP 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>
CL34	Policy & Co-ordinating Committee (Minute 101 – 1.12.98)	DIRECTOR OF GOVERNANCE	<p>ELECTORAL REGISTRATION – PROSECUTIONS</p> <p>To institute and pursue proceedings in relation to electoral registration offences.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL35	Council (Minute 71 – 17.12.02)	DIRECTOR OF GOVERNANCE (or, in the absence of the office holder, a nominated deputy)	ENFORCEMENT ACTION 1. Authority to prosecute the unauthorised display of advertisements, unauthorised works to a listed building or in a conservation area breach of Tree Preservation or Hedgerow Regulations, and non-compliance where enforcement action has previously been authorised. 2. Authority to take the appropriate enforcement action, including serving an injunction where the Director of Governance , or his nominee, considers the circumstances to be urgent.
CL36	Cabinet (Minute 138 – 25.11.02) Council (Minute 29 - 28.6.11)	DIRECTOR OF GOVERNANCE SERVICE DIRECTORS	FREEDOM OF INFORMATION ACT 2001/RE-USE OF PUBLIC SECTOR INFORMATION To be responsible for co-ordinating compliancy with the requirements of the Freedom of Information Act throughout the Council, including providing guidance and promoting compliance with the Act so as to assist with the easy, appropriate and timely retrieval of information. To be responsible for establishing and operating procedures for their service areas for managing requests for information under the Act and ensuring that requests are dealt with in accordance with statutory deadlines.
CL37	Council (Minute 19.12.06)	DIRECTOR OF NEIGHBOURHOODS	GAMBLING ACT 2005 – LICENSING FUNCTIONS See Appendix A.

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CL38	District Development Control Committee (Minute 49 (3) - 26.6.13)	DIRECTOR OF COMMUNITIES	<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 Director of Governance; the Chairman (or in his/her absence, the Vice-Chairman) of the relevant Area Plans Sub-Committee and local ward members; and</p> <p>(b) Details of the application and the resultant Determination being reported in the following issue of the Council Bulletin.</p>
CL39	Development Committee (Minute 31 – 25.8.92)	DIRECTOR OF GOVERNANCE	<p>HAZARDOUS SUBSTANCES</p> <p>To determine applications for hazardous substances consent under the Planning (Hazardous Substances) Regulations 1992 except where there are objections from interested parties, which shall be determined by the Plans Sub-Committees.</p>
CL40	Council (Minute 12(11)(a) – 27.2.90)	CHIEF EXECUTIVE (or in his absence the DEPUTY CHIEF EXECUTIVE)	<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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CL41	<p>Council (Minute 54(4) – 20.12.77)</p> <p>Personnel Sub-Committee (Minute 49(6) – 4.10.88)</p>	<p>CHIEF EXECUTIVE</p> <p>SERVICE DIRECTORS ALL MANAGERS OR SUPERVISORS RESPONSIBLE FOR ONE OR MORE STAFF</p>	<p>HEALTH AND SAFETY AT WORK – IMPLEMENTATION</p> <p>(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;</p> <p>(b) To be directly responsible for the implementation in each Directorate of the Council’s general policy for safety, health and welfare;</p> <p>(c) To ensure that adequate budgetary provision is made to meet the cost of any safety programme; and</p> <p>(d) To be responsible in the work area under their control for:</p> <ul style="list-style-type: none"> (i) implementation of general policy of health, safety and welfare; (ii) annual review of work areas to assess training needs and priorities for improvements; (iii) identification of hazards for employees and the public; (iv) consultation with employee representatives on safety matters; and (v) setting an example in safe behaviour.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL42	Council (Minute 52(c) – 12.12.00)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	HIGH COURT ACTION To instigate High Court action in the following circumstances: (a) appeals lodged in accordance with Sections 288 and 289 of the Town and Country Planning Act 1990 (as amended) which shall be authorised by the Director of Governance ; (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; (c) any applications for High Court injunctions where immediate emergency action is required to prevent serious distress to public safety or residential amenity which shall be authorised by the Director of Governance in consultation with the appropriate Portfolio Holder. (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 (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. To defend High Court Proceedings instituted against the Council (subject to reporting on action taken to the next Cabinet meeting).
	Council (Minute 100(5) – 18.4.00)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	To defend High Court Proceedings instituted against the Council (subject to reporting on action taken to the next Cabinet meeting).
	Council (Minute 29(2) – 15.7.86)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	To lodge, after prior consultation, appeals in the High Court in accordance with the provisions of Sections 288 and 289 of the Town and Country Planning Act 1990, as amended, subject to a report being made to the next appropriate meeting on the action taken.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL43	Council (Minute 34 – 22.7.97)	DIRECTOR OF GOVERNANCE	INSOLVENCY – ENFORCEMENT OF DEBTS To issue statutory demands pursuant to Section 268(1)(a) of the Insolvency Act 1986. To take steps to enforce a debt following the commencement of bankruptcy proceedings, subject to action taken being reported to the next appropriate Cabinet meeting.
CL44	Council (Minute 100(6) – 18.4.2000)	DIRECTOR OF RESOURCES (or nominated Deputy)	INSURANCE – INSTITUTION OF LEGAL PROCEEDINGS To institute, defend, appeal, withdraw or agree a compromise in connection with any legal proceedings concerning the Council's insurance matters, subject to reporting on any significant issues to the next appropriate Cabinet meeting.
CL45	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	LAND CHARGES To act as proper officer to the Council for the purposes of Section 212(1) and (2) of the Local Government Act 1972 (local registrar of land charges)
CL46	Cabinet (Minute 184 – 10.4.06)	DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (NEIGHBOURHOOD SERVICES) Appropriate Portfolio Holder	LICENSING To authorise suitably qualified officers to exercise those functions relating to licensing set out in the attached list of environmental health legislation as set out in Appendix B, subject to the policies from time to time agreed by the Licensing Committee. To delegate appropriate powers to the Director of Neighbourhoods relating to the management and provision of service set out in the attached list of environmental health legislation as set out in Appendix B.

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

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

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

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CL58	Council (Minute 117 – 20.4.04)	MONITORING OFFICER	REGISTRATION OF INTERESTS – DISTRICT COUNCIL Receipt, custody and public deposit of registration of interests of District Councillors under the Local Government Acts 2000 and 2007 and regulations made thereunder.						
CL59	Council (Minute 117 - 20.4.04)	MONITORING OFFICER	REGISTRATION OF INTERESTS – TOWN AND PARISH COUNCILS Receipt, custody and public deposit of registration of interests of Parish and Town Councillors in accordance with the Local Government Acts 2000 and 2007 and regulations made thereunder.						
CL60	Council (Minute 23 – 15.5.08)	DIRECTOR OF GOVERNANCE (TBD AS DEPUTY)	REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000 – DESIGNATION OF RIPA OFFICER AND DEPUTY For the purposes of the Regulation of Investigating Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003, the following officers of the Council be appointed to exercise on behalf of the Council, the power to authorise the carrying out of directed surveillance under the following articles: <table border="1"> <thead> <tr> <th>Article</th> <th>Purpose</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>Section 28(3)(b) of the Regulation of Investigatory Powers Act 2000 (Directed Surveillance) – for the purpose of preventing or detecting crime or of preventing disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).</td> </tr> <tr> <td>4</td> <td>Section 29(3)(b) of the Regulation of Investigatory Powers Act 2000 (Covert Human Intelligence Sources) – for the purpose of preventing or detecting crime or of preventing Disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).</td> </tr> </tbody> </table>	Article	Purpose	4	Section 28(3)(b) of the Regulation of Investigatory Powers Act 2000 (Directed Surveillance) – for the purpose of preventing or detecting crime or of preventing disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).	4	Section 29(3)(b) of the Regulation of Investigatory Powers Act 2000 (Covert Human Intelligence Sources) – for the purpose of preventing or detecting crime or of preventing Disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).
Article	Purpose								
4	Section 28(3)(b) of the Regulation of Investigatory Powers Act 2000 (Directed Surveillance) – for the purpose of preventing or detecting crime or of preventing disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).								
4	Section 29(3)(b) of the Regulation of Investigatory Powers Act 2000 (Covert Human Intelligence Sources) – for the purpose of preventing or detecting crime or of preventing Disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).								

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL61	Policy & Co-ordinating Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	RESOLUTIONS – CERTIFICATION To act as Proper Officer for purposes of paragraph 25 of Schedule 4 to the Local Government Act 1972 (certification of resolutions).
CL62	Council (Minute 29 – 28.6.11) Council (Minute 29 – 28.6.11)	DIRECTOR OF GOVERNANCE DIRECTOR OF NEIGHBOURHOODS	RE-USE OF PUBLIC SECTOR INFORMATION REGULATIONS 2005 To be responsible in accordance with the Council's policy for administering requests for information under the Re-use of Public Sector Information Regulations 2005, including the level of fees and charges to be made if information supplied is to be re-used. To be responsible for administering requests under the 2005 Regulations in respect of use of CCTV data, taking account of the Council's policy and charging arrangements.
CL63	Personnel Sub-Committee (Minute 2 – 4.10.73) (As amended by Personnel Sub-Committee Minute 169 – 26.9.78)	CHIEF EXECUTIVE SERVICE DIRECTORS	STAFF – APPOINTMENTS PROCEDURE To make all external appointments to each service in respect of posts graded below Assistant Director level except appointments where member involvement is considered desirable.
CL64	Policy & Co-ordinating Committee (Minute 59(b) – 8.2.94)	CHIEF EXECUTIVE SERVICE DIRECTORS	STAFF – MISCELLANEOUS DELEGATIONS To determine staff issues in terms of grading, structure and local conditions of service (including car leases, posts requiring an increase in hours of up to 1 or 2 per week, creation of junior posts in direct substitution of more senior ones, restructurings which reduce the number of posts and costs within a section, minor re-ranging subject to prior consultation with staff representatives, no increase in budget, maintenance of a register.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL65	Council (Minute 90(5) – 23.2.82)	MANAGEMENT BOARD (in consultation with appropriate Service Director and the Portfolio Holder with responsibility for Finance)	STAFF – RETIREMENT To offer enhanced early retirement and redundancy under the terms of the superannuation scheme or gratuity scheme to appropriate staff where the resultant vacated posts can be made available for redeployment of otherwise redundant employees.
CL66	Development Committee (Minute 73 – 2.3.93) (Minute 108 – 6.3.01)	DIRECTOR OF GOVERNANCE	TELECOMMUNICATIONS EQUIPMENT To determine, after prior consultation with ward councillors, whether the prior approval of the Council should be required to the siting and appearance of notified development under the Town and Country Planning (General Permitted Development) Order 1995. To exercise the above-mentioned authority in consultation with the Chairman of the appropriate Committee or Sub-Committee and all ward councillors in respect of those proposals submitted in accordance with the prior approvals procedure where the Director of Governance consider that an objection should not be raised to the development but where opposition has been received.
CL67	Resource Committee (Minute 40 – 28.9.93)	DIRECTOR OF RESOURCES DIRECTOR OF RESOURCES (or staff delegated to act)	TREASURY MANAGEMENT (a) To have control of the aggregated monies under Section 151 of the LGA 1972. (b) To be responsible for all executive decisions on borrowing, investment or financing under Section 151 subject to a requirement to act in accordance with the CIPFA Code for Local Authorities.
X	NIL		
Y	NIL		
Z	NIL		

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

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

DIRECTOR OF NEIGHBOURHOODS

LICENSING

Charities Act 1992

Part III (Street Collections)

Local Government (Miscellaneous Provisions) Act 1976

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

Local Government (Miscellaneous Provisions) Act 1982

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

Section 37 (Temporary Markets)

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

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

Hackney Carriage and Private Hire Licences

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

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

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

**APPENDIX C
(CL46)**

DIRECTOR OF NEIGHBOURHOODS

LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

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

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

**APPENDIX D
(CL48)**

DIRECTOR OF NEIGHBOURHOODS

SCRAP METAL DEALERS ACT 2013 - DELEGATION OF POWERS

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