

# Committee Agenda



**Epping Forest  
District Council**

## **CONSTITUTION WORKING GROUP Thursday, 3rd February, 2022**

**Place:** Virtual Meeting on Zoom

**Time:** 7.00 pm

**Democratic Services Officer:** V. Messenger Tel: (01992) 564243  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

### **Members:**

Councillors S Rackham (Chairman), M Sartin (Vice-Chairman), D Dorrell, S Heap, S Jones, H Kauffman, J Mclvor, J Philip, C C Pond, J Share-Bernia and J H Whitehouse

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### **1. APOLOGIES FOR ABSENCE**

To be announced at the meeting.

To report non-attendance before the meeting, please use the Members Portal webpage <https://eppingforestdc-self.achieveservice.com/service/Member>Contact> to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the Council's website, at the bottom under 'Contact Us'  
<https://www.eppingforestdc.gov.uk/your-council/members-portal/>

### **2. SUBSTITUTE MEMBERS**

To report the appointment of any substitute members for the meeting.

### **3. NOTES OF PREVIOUS MEETING (Pages 3 - 8)**

To agree the notes of the meeting of the Working Group held on 23 November 2021.

### **4. TERMS OF REFERENCE & WORK PROGRAMME (Pages 9 - 12)**

To review the terms of reference and progress with the achievement of the current work programme for the Working Group.

**5. CONSTITUTION - REVISIONS & AMENDMENTS**

(Monitoring Officer) To note that the Working Group's Report to Council of 16 December 2021 was deferred to a future Council meeting. Therefore, the Working Group's recommendations from 23 November 2021 meeting regarding Article 4, The Full Council Terms of Reference, sub-paragraph 1(c) have yet to be approved by Council.

**6. PART 3 - SCHEME OF DELEGATION - APPENDIX 3 - DELEGATION TO OFFICERS FROM FULL COUNCIL (Pages 13 - 46)**

To discuss the current Scheme of Delegation (attached) in relation to the CLD2 delegated powers that decide if a planning application goes to committee or not.

**7. JOINT MEETING OF DEVELOPMENT MANAGEMENT CHAIRMEN AND VICE-CHAIRMEN - COMPOSITION AND FUNCTION (Pages 47 - 52)**

To reconsider the composition and function of the twice annual Joint Meeting of Development Management Chairmen and Vice-Chairmen. A report by Councillor C C Pond is attached.

**8. DATE OF NEXT MEETING**

To note that the next meeting of the Working Group will be held on 7 April 2022 at 19.00.

**EPPING FOREST DISTRICT COUNCIL  
NOTES OF A MEETING OF CONSTITUTION WORKING GROUP  
HELD ON TUESDAY, 23 NOVEMBER 2021  
IN VIRTUAL MEETING ON ZOOM  
AT 7.00 - 7.50 PM**

<b>Members Present:</b>	S Rackham (Chairman), M Sartin (Vice-Chairman), R Baldwin, S Heap, S Jones, J McIvor, L Mead, J Philip and J H Whitehouse
<b>Apologies for Absence:</b>	D Dorrell, H Kauffman, C C Pond and J Share-Bernia
<b>Officers Present:</b>	N Boateng (Service Manager (Legal) & Monitoring Officer), G Woodhall (Team Manager - Democratic & Electoral Services) and V Messenger (Democratic Services Officer)

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### **13. SUBSTITUTE MEMBERS**

The Committee noted that Councillor R Baldwin was appointed as substitute for Councillor C C Pond and Councillor L Mead was appointed as substitute for Councillor H Kauffman.

### **14. NOTES OF PREVIOUS MEETING**

#### **RESOLVED:**

That the notes of the meeting of the Working Group held on 2 September 2021 be agreed as a correct record.

### **15. TERMS OF REFERENCE & WORK PROGRAMME**

#### **a) Terms of Reference**

The Working Group noted the Terms of Reference.

#### **(b) Work Programme**

The Working Group noted the work programme.

### **16. CONSTITUTION - REVISIONS & AMENDMENTS**

N Boateng, Service Manager (Legal) and Monitoring Officer, informed members that updates to the Constitution had been published on 5 August and 12 November 2021.

The update on 5 August 2021 incorporated minor changes to officers' names in various posts, as previously agreed at meetings, as well as revisions to Article 11 Audit and Committee Terms of Reference and Part 4 Employment Officer Rules that Council approved on 30 July 2020.

The update on 12 November 2021 included the latest agreements of the Working Group namely, approval of the Statutory Statement of Accounts by Audit and Governance Committee and a revised version of the Procurement Rules – both approved by Council on 28 October 2021. A revision of Part 3 Scheme of Delegation Appendix 4 Portfolio Holders Responsibilities was published, Members' Allowances

Scheme 2021/22 and minor amendments were made on licensing legislation – the Gambling Act and a general tidying up within Article 8 Regulatory and other Committees.

**RESOLVED:**

That the updates to the Constitution be noted.

**17. CONSTITUTION - REVIEW OF ARTICLE 4 THE FULL COUNCIL TERMS OF REFERENCE SUB-PARAGRAPH 1(C)**

N Boateng informed members that this review had occurred as a result of questions from members on a Constitution training course in May 2021 on whether the plans and strategies listed in sub-paragraph 1(c) of Article 4 (Appendix 1 of the agenda report) needed to be updated. These plans, policies and strategies made up the Council's strategy framework and were agreed by Full Council. It was noted that some strategies did not necessarily need to go to Council as it depended on their degree of influence and it would be sufficient for some to go to a scrutiny committee and then to Cabinet, as with the recent amendment to the Constitution on the Annual Statement of Accounts that now went yearly to Audit and Governance Committee and not afterwards to Council to be rubber stamped.

The Working Group took each plan or strategy in the order listed in Appendix 1 of the agenda report, as detailed below.

**(a) Terms of Reference – (c) Adoption of the following**

**(i) Asset Management Plan (Strategy)**

The Working Group supported the need for more participation by going to scrutiny with a review being undertaken by the Stronger Council Select Committee and then to Cabinet. Regarding a timeline, Councillor J Philip advised that, as the Portfolio Holder (Finance, Qualis Client and Economic Development), this would be coming forward in a year because members were aware the Asset Management Team was seconded to Qualis, so it should undergo scrutiny by the select committee followed by Cabinet. The recommendation was to remove this from the list.

**(ii) Capital Strategy**

The Working Group recommended that as this was a key part of the budget it should go to Council following scrutiny by the Audit and Governance Committee.

**(iii) Community Plan / Strategy**

The Working Group was of the opinion that because of the long timeframe it was unsure if in 21 years' time it would have much bearing on the Council and that a significant number of councillors would not remember it if they were still councillors, so concluded that it should usefully be removed from this list.

**(iv) Corporate Plan**

The Working Group firmly recommended this was a key document that should continue to go to Council.

**(v) Crime & Disorder Reduction Strategy**

It was noted this was known as the Epping Forest Community Safety Partnership Plan. The Working Group recommended its reporting should continue with the Stronger Communities Select Committee and then go to Council.

**(vi) Leisure & Cultural Strategy**

The Working Group was not convinced it was useful for this strategy to go to Council, as it was in a very different position now to that in 2014. The equivalent could go to a scrutiny committee when there was an update available. It was noted that two select committees currently scrutinised the reach of the strategy – Stronger Communities (cultural / museum) and Stronger Place (leisure). Therefore, the relevant Portfolio Holder should ensure the title of the strategy adequately reflected what was in the strategy. The recommendation was that this should be removed from the list.

**(vii) Local Plan, plus plans / strategies which comprise the Plan**

The Working Group recommended that as this was a key strategy and it was a legal requirement that it went to Council, it must remain on the list.

**(viii) Economic Development Strategy**

Councillor J Phillip, the Portfolio Holder, advised that the strategy had now been superseded and was a quickly moving sector. The town centre regeneration reports and gone to Overview and Scrutiny Committee [8 June 2021] and then to Cabinet [21 June 2021], which was a better process. The Council had funded a Town Centre Manager and local councillors had contributed input. The Portfolio Holder said he would not commit to a strategy at this stage but when appropriate, scrutiny would be undertaken and then it would be brought before Cabinet. The Working Group recommended this be removed from the list.

**(ix) Housing Investment Programme**

It was noted this was a long-lasting business plan for the Housing Revenue Account (HRA). The Working Group recommended it should pass through scrutiny, via Audit and Governance Committee, followed by Cabinet and continue to go to Council given the monetary size of the HRA. It also recommended changing the name to “30-year Housing Revenue Business Plan”. Therefore, it should stay on the list.

**(x) Local Transport Plan**

The Working Group was not aware of the Council ever having a local transport plan in any shape or form but, as a Sustainable Transport Officer had been appointed, there might be a policy in future that should go through the scrutiny process first. The Working Group was of the opinion there were no plans to produce a different transport strategy as currently, local transport plans came under relevant policies within the Local Plan. It was noted that the Overview and Scrutiny Committee had scrutinised the Harlow and Gilston Garden Town Transport Strategy on 18 November 2021, which extended into

Epping Forest District on some borders. The Working Group recommended this plan was removed from the list.

**(xi) Social Inclusion Strategy**

The Working Group recommended this strategy be removed from the list as it had gone into abeyance since 2008. It tied in with the Council's Housing scheme 'More than bricks and mortar' that helped achieve this mission by creating great places where people wanted to live, so was now superfluous.

**(xii) Statutory Statement of Accounts**

The Working Group noted it had recommended on 2 September 2021 a change to the delegated authority for approving the Statutory Statement of Accounts to Audit and Governance Committee, which Council had ratified on 28 October 2021. This was incorporated in the Constitution update of 12 November 2021. Therefore, this should be removed from the list.

**(b) Terms of Reference – 2(b) Ordinary meetings, (ix) receive reports about and receive questions and answers on the business of joint arrangements and external organisations**

Councillor J H Whitehouse was concerned that little feedback was given to Council by its representatives on outside bodies and wanted to know what their role was. There seemed little point in the representatives attending these outside organisations if few reports were being provided to other councillors. A former Democratic Services manager used to write an annual report on this. Councillor S Heap agreed members needed to know the purpose of the role and better feedback was required.

Councillor J Philip replied that many of the Executive appointees' feedback was given in the Portfolio Holder reports that went to each Council meeting and suggested a report should come before the Working Group.

The Working Group agreed to add this item to its work programme, so it could be considered properly and that a report be submitted to a future meeting.

**RESOLVED:**

- (1) That the Working Group reviewed and updated the list of plans and strategies listed at sub-paragraph 1(c) of Article 4 of the Constitution;
- (2) That the Working Group recommended to Council the following updates to Article 4, sub-paragraph 1(c), as listed in Appendix 1 below; and
- (3) That the Working Group review the role of representatives appointed by Council to outside bodies, which was added to its work programme.

<u>Plan / Strategy</u>	<u>Date Last Agreed</u>	<u>Term of Plan / Strategy</u>	<u>Recommendations by Constitution Working Group on 23-Nov-21</u>
Asset Management Plan (Strategy)	<ul style="list-style-type: none"> <li>Asset Management Strategy agreed by Cabinet 13 June 2019.</li> </ul>	N/A	<b>REMOVE</b> – to go to Stronger Council SC then to Cabinet.
Capital Strategy	<ul style="list-style-type: none"> <li>Recommended to Council by AGC 22-Mar-21.</li> <li>On agenda for Council meeting 28-Oct-21</li> </ul>	5 years	<b>KEEP</b> – to go to Audit & Governance Committee then to Council.
Community Plan / Strategy	<ul style="list-style-type: none"> <li>Interim Council &amp; Community Plan considered by FPM Cabinet Committee 23-Jan-20 (updates on achievements with the Corporate Plan)</li> <li>Sustainable Community Strategy agreed by Council 14-Dec-10</li> </ul>	1 year  21 years	<b>REMOVE.</b>
Corporate Plan	21 December 2017	5 years	<b>KEEP</b> – to go to Council.
Crime & Disorder Reduction Strategy	<ul style="list-style-type: none"> <li>Reported to the Stronger Communities Select Committee on 30-Mar-21 known as the <b>Epping Forest Community Safety Partnership Plan</b></li> </ul>	1 year	<b>KEEP</b> – to go to Stronger Communities SC then to Council.
Leisure & Cultural Strategy	16-Dec-14	10 years	<b>REMOVE</b> – to go to scrutiny select committee(s) then to Cabinet. PFH should ensure title of strategy adequately reflects what is in the strategy.
Local Plan, plus plans / strategies which comprise the Plan	<ul style="list-style-type: none"> <li>Process ongoing and not yet complete</li> <li>Submission Version of the Local Plan 2017 agreed by Council 14-Dec-17</li> <li>Draft Local Plan agreed by Council 18-Oct-16 for consultation.</li> </ul>	2033	<b>KEEP</b> – to go to Council.
Economic Development Strategy	<ul style="list-style-type: none"> <li>Consulted on in 2019 and submitted to Stronger Place Select Committee, but no evidence of it being adopted by Council.</li> </ul>	-	<b>REMOVE</b> – to go to scrutiny committee then to Cabinet.
Housing Investment Programme	<ul style="list-style-type: none"> <li>Was agreed as part of the detailed Directorate budgets up to 2016.</li> <li>Superseded by 'New House Builds' in the HRA and the Council Housebuilding Programme agreed by Cabinet.</li> <li>Still agreed as part of the budget proposals each year: 25-Feb-21</li> </ul>	1 year	<b>KEEP</b> – to go to Audit & Governance Committee, then Cabinet and then to Council. <b>Recommendation to change name to "30-year Housing Revenue Business</b>

			<b>Plan”.</b>
Local Transport Plan	<ul style="list-style-type: none"> <li>No direct evidence of adoption by Full Council recently but might now be superseded by the Transport policies in the Local Plan.</li> </ul>	-	<b>REMOVE.</b>
Social Inclusion Strategy	<ul style="list-style-type: none"> <li>No direct evidence of adoption by Full Council recently.</li> <li>References to it in the Annual (Good) Governance Statement up to 2008.</li> </ul>	-	<b>REMOVE.</b>
Statutory Statement of Accounts	25 February 2020	2018/19	<b>REMOVED</b> – to go to Audit & Governance Committee ( <i>incorporated in Constitution update of 12 Nov 21</i> ).

**18. DATE OF NEXT MEETING**

It was noted that the next meeting of the Working Group would be held virtually on 3 February 2022 at 19.00.



## CONSTITUTION WORKING GROUP

### TERMS OF REFERENCE

**Title:** Constitution Working Group

**Status:** Working Group

**Terms of Reference:**

- (1) To review any aspect of the authority's constitutional arrangements as requested by the Council;
- (2) To undertake general reviews of specific elements of the Constitution in order to ensure that the authority's constitutional arrangements complement current legislative requirements and decisions made by the Council; and
- (3) To consider any proposals of the Monitoring Officer for necessary revision to any element of the Constitution.

**Reporting:**

The Working Group shall report directly to the Council in connection with its Terms of Reference and the achievement of its work programme.

**Chairman:** Cllr S Rackham

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**Constitution Working Group  
(Chairman – Councillor S Rackham)  
Work Programme 2021/22**

<b>Item</b>	<b>Timescale</b>	<b>Progress</b>	<b>Officer / owner</b>
(1) Constitution	Ongoing	To consider the ongoing review of the Constitution to ensure alignment with the Council's management structure.	N Boateng
(2) Procurement Rules 2021	27 July 2021  2 September 2021	<b>Completed</b> To consider the new Procurement Rules (agreed by Cabinet Dec 2020); and  Continued from July 2021 meeting.	J Warwick / S McNamara
(5) Statutory Statement of Accounts – change of delegated authority for approving	2 September 2021	<b>Completed</b> Change of delegated authority for approving Statutory Statement of Accounts from Council to Audit & Governance Committee (Council (Minute no 27) recommendation made to Constitution Working Group at 29.07.21 meeting).	A Small / N Boateng
(3) Article 4 – The Full Council Terms of Reference	23 November 2021	<b>Completed</b> To review Article 4 – The Full Council Terms of Reference sub-paragraph 1 (c).	N Boateng
(4) Part 3 – Scheme of Delegation – Appendix 3 – Delegation to Officers from Full Council	3 February 2022	To discuss the CLD2 delegated powers in relation to Planning Officers.	N Boateng (to incl. N Richardson, A Marx, G Courtney)
(6) Joint Meeting of Development Management Chairmen and Vice-Chairmen	3 February 2022	To reconsider the composition and function of the twice annual Joint Meeting of Development Management Chairmen and Vice-Chairmen (see CWG Minute no 4).	CLlr C C Pond (to incl. N Boateng, N Richardson, A Marx)
(7) Article 4 – The Full Council Terms of Reference	TBC	To review the role of Council appointees to outside bodies sub-paragraph 2 (b) Ordinary meetings, (ix) receive reports about and receive questions and answers on the business of joint arrangements and external organisations).	N Boateng
	7 April 2022		

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**Part 3  
Scheme of Delegation**

**Appendix 3**

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

**Key:**

**Officer Levels: Level 4: Chief Executive, Level 3: Strategic Directors and Service Directors, Level 2: Service Managers**

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.

<b>Service Director Officer Role:</b>	<b>Current services</b>
Business Support Services	People Team, Business Support, Building Services, Reprographics, ICT, Accountancy, Treasury Management, Insurance, Accounts payable, Land Charges, Legal Services;
Contracts and Technical Services	Waste and Recycling, Car Parking, Leisure Management, Fleet Operations, Land Drainage, Contaminated Land, Grounds Maintenance, Arboriculture, Countryside, Highways liaison, Procurement;
Commercial and Regulatory Services	Estates and valuation, North Weald Airfield, Licensing, Building Control, Environmental Health and Coordination, Private Sector Housing, Commercial property; estates and asset management (including North Weald Airfield assets), Health and Safety, Emergency Planning and business continuity;
Community and Partnership Services	Safer Communities, Neighbourhood Services, Safeguarding, Community Development, Arts and Museum Services, Grant Aid, Youth Council, Local Strategic Partnership, Economic Development, Health and Wellbeing, Tourism, Champion for the voluntary sector; young people; Business Champion; health and wellbeing; community safety, Transformation Programme, Project Management, Performance Monitoring, Corporate Plan/Equalities;
Customer Services	Customer Services, Compliments and Complaints, Corporate Communications, Website, Public consultation, Revenues, Benefits, Debt recovery, cashiers, Democratic Services, Civic and Member Services, Elections, Data Protection, Freedom of Information;
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, large scale S106 and CIL.

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLA1</b>	Council - 29.10.85 (Minute 57(2))	<b>SERVICE DIRECTOR CUSTOMER SERVICES, OR ANY LEVEL 3 OFFICER OR ABOVE</b>	<b>ACCESS TO INFORMATION ACT 1985 – PROPER OFFICER</b>  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
<b>CLA2</b>	Policy & Co-ordinating Committee (Minute 62(1) - 11.2.86)	<b>CHIEF EXECUTIVE SERVICE DIRECTORS</b>	<b>ACCESS TO INFORMATION ACT 1985 – DEPOSIT OF BACKGROUND DOCUMENTS</b>  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.
<b>CLA3</b>	Policy & Co-ordinating Committee (Minute 56 – 30.9.97)	<b>LEGAL SERVICES MANAGER OR ANY LEGALLY QUALIFIED STAFF MEMBER WITHIN LEGAL SERVICES NOMINATED BY THEM</b>	<b>AFFIDAVITS – SWEARING OF</b>  To secure sworn affidavits from any member of Council staff where required by the Council.
<b>CLA4</b>	Council (Minute 104(5) – 19.4.83)	<b>CHIEF EXECUTIVE AND STRATEGIC DIRECTORS</b>  <b>SERVICE DIRECTORS AND LEVEL 2 AND 1 MANAGERS</b>	<b>APPRAISAL OF TOP MANAGEMENT*</b> To implement the Council’s scheme for staff performance development reviews (*NB. ‘Top Management’ includes Service Directors)  <b>APPRAISAL OF STAFF</b> To implement the Council’s scheme for staff performance development reviews (NB excluding Service Directors).
<b>CLA5</b>	Personnel Sub-Committee (Minute 13 – 7.6.88)	<b>CHIEF EXECUTIVE OR ANY LEVEL 2 MANAGER OR ABOVE</b>	<b>ATTENDANCE ALLOWANCES FOR OFFICERS</b>  To authorise attendance of such officers at any function or meeting and to grant payments on rates applicable for weekend working.

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLB1</b>	Council (Minute 78(5) – 27.2.90)	<b>CHIEF FINANCIAL OFFICER (OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THE CHIEF FINANCIAL OFFICER)</b>	<b>BORROWING DETERMINATION</b>  (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.
<b>CLB2</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>LEGAL SERVICES MANAGER OR SOLICITOR OR FELLOW OF THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES WITHIN LEGAL SERVICES NOMINATED BY THEM</b>	<b>BYELAWS – CERTIFICATION</b>  To act as Proper Officer for the purposes of Section 238 of the Local Government Act 1972.
<b>CLB3</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>LEGAL SERVICES MANAGER OR SOLICITOR OR FELLOW OF THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES WITHIN LEGAL SERVICES NOMINATED BY THEM</b>	<b>BYELAWS – PARISH &amp; COUNTY COUNCIL COPIES</b>  To act as Proper Officer for the purposes of Section 236(a) of the Local Government Act 1972.
<b>CLC2</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>CHIEF EXECUTIVE</b>	<b>CHAIRMAN OF COUNCIL – CASUAL VACANCY</b>  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).
<b>CLC3</b>	Finance Sub-Committee (Minute 13 – 14.11.73)	<b>CHIEF FINANCIAL OFFICER (OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THE CHIEF FINANCIAL OFFICER (or other duly authorised signatory))</b>	<b>CHEQUES – SIGNING</b>  To sign cheques on behalf of the Council.

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLC4</b>	Council (Minute 90(4) – 22.4.97) S.O. F1(3), F1(4) Council (Minute 9 – 21.05.20)	<b>A SMALL (STRATEGIC DIRECTOR)</b>	<b>CHIEF FINANCIAL OFFICER</b>  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.
<b>CLC5</b>	Policy & Co-ordinating Committee (Minute 51 – 4.1.94)	<b>CHIEF FINANCIAL OFFICER (OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THE CHIEF FINANCIAL OFFICER)</b>	<b>COLLECTION FUND</b>  To calculate the surplus or deficit on the Collection Fund in accordance with the Local Authorities (Funds) (England) Regulations 1992.
<b>CLC6</b>	Council (Minute 90(4) – 22.4.97)	<b>ANY LEVEL 4 OR 3 OFFICER THAT IS NOT THE INITIATING OFFICER FOR THE SUBJECT MATTER.</b>	<b>COMMON SEAL – ATTESTATION OF</b>  To attest the Common Seal of the Council.
<b>CLC7</b>	Personnel Sub-Committee (Minute 13 – 15.11.73)	<b>ANY LEVEL 4 OR 3 OFFICER</b>	<b>COMPASSIONATE LEAVE</b>  To grant to staff up to five days leave (with pay) per year for compassionate reasons.
<b>CLC8</b>	Council (Minute 18 - 18.6.12)	<b>MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)</b>	<b>CONDUCT OF COUNCILLORS</b> 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;



	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
	Standards Committee (Minute 21 – 13.12.12)	<b>MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)</b>	<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 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>
<b>CLC9</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>CHIEF EXECUTIVE</b>	<p><b>COUNCIL MEETINGS – NOTICES AS TO ADDRESSES FOR DELIVERY OF SUMMONS</b></p> <p>To act as Proper Officer in accordance with Schedule 12 (paragraph 4(3))</p>

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
			of the Local Government Act 1972 as to the receipt of these notices.
<b>CLC10</b>	Council (Minute 127 – 23.4.13)	<b>MONITORING OFFICER</b>	<b>CONSTITUTION – MINOR AMENDMENTS</b>  To make amendments to the Constitution as set out in the Article relating to Revision, Amendment and Suspension of the Constitution
<b>CLC11</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>CHIEF EXECUTIVE</b>	<b>COUNCIL MEETINGS – SIGNATURE OF SUMMONS TO ATTEND</b>  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.
<b>CLC12</b>	Policy & Resources Committee (Minute 3 – 11.10.73)  Council 28 May 2015 (Minute 12 – 28.5.15)	<b>CHIEF EXECUTIVE</b>  <b>ANY LEVEL 4 MANAGER IN THE ABSENCE OF THE CHIEF EXECUTIVE</b>	<b>COUNCILLORS – ACCEPTANCE OF OFFICE</b>  (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.
<b>CLC13</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>CHIEF EXECUTIVE</b>	<b>COUNCILLORS – RESIGNATION FROM OFFICE</b>  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.
<b>CLC14</b>	Council (Minute 49 – 18.12.01)	<b>SERVICE DIRECTOR CUSTOMER SERVICES OR ANY LEVEL 2 OFFICER NOMINATED BY THEM</b>	<b>COUNCILLORS – SUBSTITUTES</b>  To receive notices from Group Leaders regarding the appointment of substitute members, subject to certain conditions.

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLC15</b>	Council (Minute 100(7) – 18.4.2000)	<b>LEGAL SERVICES MANAGER</b>	<b>COURT, TRIBUNAL, INQUIRY PROCEEDINGS – ENGAGEMENT OF STAFF AND ADVICE</b>  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.
<b>CLD1</b>	Council (Minute 22 – 30.7.20)	<b>N. BOATENG (LEGAL SERVICES MANAGER)</b>	<b>DATA PROTECTION ACT 2018</b>  To act as Data Protection Officer for the purposes of the Data Protection Act 2018 and General Data Protection Regulation.
<b>CLD2</b>	Council 31 July 2018	<b>SERVICE DIRECTOR – PLANNING SERVICES OR A LEVEL 2 OR 1 OFFICER NOMINATED BY THEM.</b>	<b>DEVELOPMENT MANAGEMENT</b>  <b>A. To determine:</b>  (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  (f) All applications for Demolition in Conservation Areas  (g) All Applications for Hazardous Substance Consent  (h) Tree Preservation Order Consent applications where felling is proposed.  (i) All Applications for Variation or Removal of Conditions  except the following which shall be determined by the committee or subcommittee indicated in Article 10 to the constitution:

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
			<ol style="list-style-type: none"> <li>1. Applications for residential developments consisting of 10 or more dwellings (unless approval of reserved matters only) which are recommended for approval;</li> <li>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.</li> <li>3. Applications recommended for approval where at least one of the following have been received: <ol style="list-style-type: none"> <li>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</li> <li>b. An objection is received from a local council, supported by at least one non-councillor resident, with material planning reasons; or</li> <li>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</li> <li>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.</li> </ol> </li> <li>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;</li> </ol>

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
			<p>6. Any other application which the Head of Planning considers appropriate to be determined by members.</p> <p><b>B. To determine;</b></p> <p>All matters, set out below, unless the Service Director, Planning considers it appropriate to be determined by members.</p> <p><b>1. Planning Related Applications</b></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> <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><b>2. Planning and Related Procedures</b></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 Manager (Legal Services)/Solicitor to the Council within the terms of any relevant Committee resolution.</p>

	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
			<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><b>3. Enforcement</b></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 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>

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
			<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><b>4. Entry onto Land</b></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>
<b>CLD3</b>	Finance Sub-Committee (Minute 67(iii) – 6.3.74)	<b>CHIEF FINANCIAL OFFICER</b>	<p><b>DIRECT DEBITING</b></p> <p>To execute a direct debiting indemnity on behalf of the Council.</p>
<b>CLD4</b>	Policy & Co-ordinating Committee (Minute 44 – 29.11.83)	<b>LEVEL 3 OFFICER AND ABOVE OR ANY LEVEL TWO OFFICER SO AUTHORISED</b>	<p><b>DISTURBANCE COMPENSATION</b></p> <p>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.</p>
<b>CLD5</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>LEGAL SERVICES MANAGER</b>	<p><b>DOCUMENTS – AUTHENTICATION</b></p> <p>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.</p>
<b>CLD6</b>	Policy & Resources Committee (Minute 3 –	<b>LEGAL SERVICES MANAGER</b>	<p><b>DOCUMENTS – CERTIFICATION OF PHOTOGRAPHIC COPIES</b></p>

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
	11.10.73)		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.
<b>CLD7</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>SERVICE DIRECTOR CUSTOMER SERVICES OR DULY NOMINATED OFFICER</b>	<b>DOCUMENTS – DEPOSIT</b>  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.
<b>CLD8</b>	Standing Order A32 Council (Minute 24(1) – 9.7.91)	<b>CHIEF EXECUTIVE (OR ANY LEVEL 3 OFFICER OR ABOVE))</b>	<b>DOCUMENTS – INSPECTION AND SUPPLY FOR COUNCILLORS</b>  To determine requests by members of the Council to inspect or to be provided with copies of Council documents.
<b>CLE1</b>	Council (25.4.19)	<b>G. BLAKEMORE (CHIEF EXECUTIVE)</b>  <b>DEPUTY REGISTRATION OFFICER: W. MACLEOD (SENIOR ELECTORAL SERVICES OFFICER)</b>	<b>ELECTORAL MATTERS</b>  (a) Registration Officer under section 8(2)(a) of the Representation of the People Act (RPA) 1983 and  (i) through Section 28 of the RPA, Acting Returning Officer for the purposes of UK Parliamentary elections; and  (ii) through Section 6 of the European Elections Act 2002, Local Returning Officer for European Parliamentary elections.  (Duties: responsibility for the electoral register, for EU parliamentary elections (under the direction of the Regional Returning Officer) and for UK Parliamentary elections.)  (b) Counting Officer for the purposes of Section 61E of the Town & Country Planning Act 1990 and the Localism Act 2011 (Section 116)  (Duties: responsibility for the local referendums on Neighbourhood Plans)  (c) District Returning Officer for the Epping Forest District under Section 35(1) of the RPA 1983



	Original Authority Details	Officer(s) Authorised/ Level of Officer Authorised	Subject and Function(s) Delegated
Page 25			<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>(f) Nominated Local Returning Officer under Section 54 of the Police &amp; Social Responsibility Act 2011</p> <p>(Duties: conduct of elections for Police &amp; 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>
<b>CLE2</b>	Council (25.4.19)	<b>G. BLAKEMORE (RETURNING OFFICER)</b>	<p><b>ELECTIONS – DISCRETIONARY FEES AND CHARGES</b></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>

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLE3</b>	Council (25.4.19)	<b>G. BLAKEMORE (RETURNING OFFICER)</b>	<b>ELECTIONS – FEES AND EXPENSES</b>  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.
<b>CLE4</b>	Policy & Co-ordinating Committee (Minute 101 – 1.12.98)	<b>G. BLAKEMORE (ELECTORAL REGISTRATION OFFICER)</b>	<b>ELECTORAL REGISTRATION – PROSECUTIONS</b>  To institute and pursue proceedings in relation to electoral registration offences.
<b>CLG1</b>	Council (Minute 19.12.06)	<b>SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL</b>	<b>GAMBLING ACT 2005 – LICENSING FUNCTIONS</b>  See Annex A.
<b>CLG2</b>	District Development Control Committee (Minute 49 (3) - 26.6.13)	<b>SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL</b>	<b>GROWTH AND INFRASTRUCTURE ACT 2013</b>  To determine applications received under Section 7 to modify, remove or discharge affordable housing obligations, subject to:  (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  (b) Details of the application and the resultant Determination being reported in the following issue of the Council Bulletin.
<b>CLH2</b>	Council (Minute 109 - 22.2.18)	<b>CHIEF EXECUTIVE (OR IN THEIR ABSENCE A NOMINATED LEVEL 4 OR LEVEL 3 OFFICER)</b>	<b>HEAD OF PAID SERVICE</b>  In accordance with Section 4 of the Local Government and Housing Act 1989 designated as Head of the Authority's Paid Service.

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLH3</b>	<p>Council (Minute 54(4) – 20.12.77)</p> <p>Personnel Sub-Committee (Minute 49(6) – 4.10.88)</p>	<p><b>CHIEF EXECUTIVE</b></p> <p><b>SERVICE DIRECTORS, ALL LEVEL 1,2 AND 3 MANAGERS RESPONSIBLE FOR ONE OR MORE STAFF</b></p>	<p><b>HEALTH AND SAFETY AT WORK – IMPLEMENTATION</b></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> <p>(i) implementation of general policy of health, safety and welfare;</p> <p>(ii) annual review of work areas to assess training needs and priorities for improvements;</p> <p>(iii) identification of hazards for employees and the public;</p> <p>(iv) consultation with employee representatives on safety matters; and</p> <p>(v) setting an example in safe behaviour.</p>

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
CLH4	Council (Minute 52(c) – 12.12.00)	<b>LEGAL SERVICES MANAGER OR ANY LEGALLY QUALIFIED OFFICER WITHIN THE LEGAL SERVICES FUNCTION</b>	<p><b>HIGH COURT ACTION</b></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>
	Council (Minute 100(5) – 18.4.00)	<b>LEGAL SERVICES MANAGER</b>	To defend High Court Proceedings instituted against the Council (subject to reporting on action taken to the next Cabinet meeting).

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLI1</b>	Council (Minute 34 – 22.7.97)	<b>LEGAL SERVICES MANAGER AND THE RELEVANT LEVEL 3 OR 4 MANAGER</b>	<b>INSOLVENCY – ENFORCEMENT OF DEBTS</b>  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,
<b>CLI2</b>	Council (Minute 100(6) – 18.4.2000)	<b>SERVICE DIRECTOR BUSINESS SUPPORT SERVICES OR ANY APPROPRIATELY QUALIFIED STAFF MEMBERS WITHIN ACCOUNTANCY SERVICES NOMINATED BY THEM.</b>	<b>INSURANCE – INSTITUTION OF LEGAL PROCEEDINGS</b>  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.
<b>CLL1</b>	Policy & Resources Committee (Minute 3 – 11.10.73)	<b>SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL</b>	<b>LAND CHARGES</b>  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)
<b>CLL2</b>	Cabinet (Minute 184 – 10.4.06)	<b>SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL</b>	<b>LICENSING</b>  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.  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.

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLL3</b>	Licensing Committee (Minute 12 – 15.10.08)	<b>SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL SENIOR LICENSING OFFICER or suitably qualified officer authorised by them</b>	<b>LICENSING – HACKNEY CARRIAGE AND PRIVATE VEHICLE LICENCES</b>  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).
<b>CLL4</b>	Council (Minute 48 – 26.9.13)	<b>SERVICE DIRECTORS OR ANY LEVEL 3 OFFICER OR ABOVE WITHIN THEIR MANAGEMENT CONTROL</b>	<b>LICENSING – SCRAP METAL DEALERS ACT 2013</b>  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.
<b>CLL5</b>	Policy & Co-ordinating Committee (Minute 24(2) – 8.10.91)	<b>SERVICE DIRECTOR BUSINESS SUPPORT SERVICES/CHIEF FINANCIAL OFFICER</b>	<b>LOCAL GOVERNMENT AND HOUSING ACT 1989 – DETERMINATIONS UNDER PART IV</b>  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

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
<b>CLL6</b>	Council (Minute 24(1)(2) – 9.7.91)	<b>PEOPLE TEAM MANAGER</b>  <b>CHIEF FINANCIAL OFFICER</b>	<b>LOCAL GOVERNMENT AND HOUSING ACT 1989 – PROPER OFFICER DESIGNATIONS</b>  Proper Officer designations made for the purposes of the Sections of the Local Government and Housing Act 1989 indicated:  <b>Section and Purpose</b>  <b>Section 2 (preparation and maintenance of lists of politically restricted posts).</b>  <b>Section 37 (deposit and preparation of statements as to the provision of financial assistance).</b>
<b>CLM1</b>	Council (Minute 34 – 22.7.97) (Minute 168 - 20.4.10)	<b>LEGAL SERVICES MANAGER OR IN THEIR ABSENCE ANY APPROPRIATELY QUALIFIED OFFICER NOMINATED BY THEM</b>	<b>MAGISTRATES’ AND COUNTY COURTS – DEFENCE AND PURSUIT OF PROCEEDINGS</b>  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)	<b>G. OAKLEY (MANAGING LEGAL EXECUTIVE)/L. COLE (LITIGATION EXECUTIVE)</b>	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.
<b>CLM2</b>	Council April 2016	<b>CHIEF EXECUTIVE OR SERVICE DIRECTOR OR A LEVEL 2 OFFICER NOMINATED BY THEM</b>	<b>MALADMINISTRATION – POWER TO MAKE PAYMENTS OR PROVIDE OTHER REMEDIES</b>  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.
<b>CLM3</b>	Council (Minute 10 – 15.5.2001)	<b>N. BOATENG (LEGAL SERVICES MANAGER)</b>	<b>MONITORING OFFICER AND DEPUTY</b>  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.

	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
	Council (Minute 70 – 6.11.12)  Council (Minute 22 – 30.7.20)	<b>G. WOODHALL (DEMOCRATIC AND ELECTORAL SERVICES TEAM MANAGER)</b>	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.
<b>CLO1</b>	Policy and Resources Committee (Minute 3(3) – 11.10.73)	<b>CHIEF FINANCIAL OFFICER</b>	<b>OFFICERS – RECEIPT OF MONEY DUE</b>  To act as Proper Officer for the purposes of Section 115 of the Local Government Act 1972).
<b>CLO2</b>	Council (Minute 86 – 15.2.05)	<b>CHIEF EXECUTIVE AND MONITORING OFFICER</b>	<b>OMBUDSMAN – NOTICES</b>  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).
<b>CLP1</b>	Council (25.4.19)	<b>G. BLAKEMORE (RETURNING OFFICER)</b>	<b>PARISH POLLS</b>  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,
<b>CLP2</b>	Personnel Sub-Committee (Minute 139 – 20.3.90)	<b>SERVICE DIRECTORS</b>	<b>POLITICALLY RESTRICTED POSTS</b>  (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.
<b>CLP3</b>	Policy and Resources		<b>PROTECTED BUILDINGS</b>



	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
	Committee (Minute 3 – 11.10.73)		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).
<b>CLR1</b>	Council (Minute 117 – 20.4.04)	<b>MONITORING OFFICER</b>	<b>REGISTRATION OF INTERESTS – DISTRICT COUNCIL</b>  Receipt, custody and public deposit of registration of interests of District Councillors under the Local Government Acts 2000 and 2007 and regulations made thereunder.
<b>CLR2</b>	Council (Minute 117 - 20.4.04)	<b>MONITORING OFFICER</b>	<b>REGISTRATION OF INTERESTS – TOWN AND PARISH COUNCILS</b>  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.



	<b>Original Authority Details</b>	<b>Officer(s) Authorised/ Level of Officer Authorised</b>	<b>Subject and Function(s) Delegated</b>
		<b>SENIOR LEGAL EXECUTIVE</b>  <b>EXECUTIVE ASSISTANT (STRATEGIC SUPPORT)</b>	<b>Authorising Officer</b> To consider and a give initial authorisation of covert surveillance, whether directed or covert human intelligence source,  <b>RIPA Coordinator</b> To maintain a central record of refusals, authorisations and cancellations as directed by the SRO.
<b>CLR4</b>	Policy & Co-ordinating Committee (Minute 3 – 11.10.73)	<b>MONITORING OFFICER</b>	<b>RESOLUTIONS – CERTIFICATION</b>  To act as Proper Officer for purposes of paragraph 25 of Schedule 4 to the Local Government Act 1972 (certification of resolutions).
<b>CLR5</b>	Council (Minute 29 – 28.6.11)  Council (Minute 29 – 28.6.11)	<b>CHIEF EXECUTIVE</b>	<b>RE-USE OF PUBLIC SECTOR INFORMATION REGULATIONS 2005</b>  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.
<b>CLS1</b>	Personnel Sub-Committee (Minute 2 – 4.10.73) (As amended by Personnel Sub-Committee Minute 169 – 26.9.78)	<b>CHIEF EXECUTIVE STRATEGIC AND SERVICE DIRECTORS</b>	<b>STAFF – APPOINTMENTS PROCEDURE</b>  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.
<b>CLS2</b>	Policy & Co-ordinating Committee (Minute 59(b) – 8.2.94)	<b>HEAD OF PAID SERVICE, STRATEGIC AND SERVICE DIRECTORS WITHIN THEIR AREAS OF MANAGEMENT RESPONSIBILITY.</b>	<b>STAFF – MISCELLANEOUS DELEGATIONS</b>  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

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

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**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**

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
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

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
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**

<b>MATTER TO BE DEALT WITH</b>	<b>FULL COUNCIL</b>	<b>SUB-COMMITTEE</b>	<b>OFFICERS</b>
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
<b>Buildings</b>	Planning (Listed Buildings and Conservation Areas) Act 1990 Section: 3 (1-8)	<p>To serve Building Preservation Notices in urgent cases, subject to report to and review by the next meeting of District Development Control Committee.</p> <p>To obtain and exercise powers of entry to undertake surveys in connection with:</p> <ul style="list-style-type: none"> <li>(1) Statutory Plans</li> <li>(2) Applications for Planning Permission</li> </ul>	Yes
<b>Dangerous trees on private land</b>	Local Government (Miscellaneous Provisions) Act 1976 Sections: 23 and 24	<p>Discretionary power to take action to make safe trees on private land, including to:</p> <ul style="list-style-type: none"> <li>(1) Obtain and use necessary Powers of Entry to the land;</li> <li>(2) Serve relevant notices;</li> <li>(3) Respond to appeals;</li> <li>(4) Undertake works directly where necessary; and</li> <li>(5) Recover expenses.</li> </ul>	No
<b>Countryside hedgerows</b>	The Hedgerow Regulations 1997 Sections: 5 to 15 incl.	<p>The responsibility to:</p> <ul style="list-style-type: none"> <li>(1) Regulate the removal of certain hedgerows;</li> <li>(2) Issue relevant notices, including to require hedgerow replacement;</li> <li>(3) Respond to appeals;</li> <li>(4) Take necessary enforcement or legal action;</li> </ul>	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>	
<p><b>High Hedges</b></p>	<p>Anti-social Behaviour Act 2003 (Part 8) Sections: 68, 69, 70, 74, 75, 77, 79 and 80.</p>	<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>	<p>No</p>
<p><b>Protection of trees</b></p>	<p>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&amp;D, 324, 325</p>	<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>	<p>No</p>

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>	

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.

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## **Report to Constitution Working Group**

**Date of meeting: 3 February 2022**



**Epping Forest  
District Council**

**Subject: Joint Meeting of Development Management Chairmen and Vice-Chairmen  
Report by Councillor C C Pond**

**Officer contact for further information: N Boateng (01992) 564323**

**Democratic Services Officer: V Messenger (01992) 564243**

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### **Recommendations/Decisions Required:**

- (1) That the Working Group consider Councillor C C Pond's suggestion that other group members be added to the membership of this joint meeting;**
- (2) That if the majority group is worried about being outvoted, then such members could be there on a non-voting basis, solely to facilitate good governance of the consideration of planning applications; and**
- (3) That, subject to recommendations (1) and (2) above, a report be made to the Council recommending this amendment be incorporated in the Constitution.**

1. The joint meeting of the chairmen and vice-chairmen of planning committees is there to encourage smooth conduct of meetings, to troubleshoot problems that may have occurred, to consider new matters (e.g. of national policy) that have arisen, and generally to facilitate the process by which members consider those planning applications where delegated decision by officers is precluded.

2. Chairmen and deputies are appointed by the Annual Council Meeting entirely on political lines. The consideration of any planning application by Council or any of its committees should be conducted politics-blind. There should never be any whip exercised by any group on any planning application. Applications must be determined on the merits of that application, the relevant local plan, national legislation and guidance, by individual members using their own local knowledge and discretion.

3. If this committee of chairmen and vice-chairmen is composed solely of the representatives of one group, as this group has been for some time, then it is likely its members will not be aware of all the issues relevant to its remit.

4. Councillor C C Pond's suggestion is that other group members be added to the membership. If the majority group is worried about being outvoted, then such members could be there on a non-voting basis. Their presence would be solely to facilitate good governance of the consideration of planning applications.

5. This could be incorporated into the Constitution when the Leader makes the appointments to committees at Annual Council, under Article 4 – The Full Council 1 (i) Appointments to Committees and Sub-Committees (including Chairmen and Vice-Chairmen) by recommendation of the Appointments Panel (if required) except those relating to Executive functions which are the responsibility of the Leader of Council and those delegated to the Overview and Scrutiny Committee. Article 4 is attached for information, as Appendix 1.

6. The Working Group is asked to consider this proposal and the recommendations.

**Resource Implications:**

The recommendations of this report seek to ensure that the Council's Constitution remains fit for purpose.

**Legal and Governance Implications:**

The Council's Constitution sets out procedures and rules for the operation of its functions and responsibilities.

**Safer, Cleaner, Greener Implications:**

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

**Consultation Undertaken:**

The proposed revision has been subject to consultation with the Monitoring Officer.

**Background Papers:**

None

**Risk Management:**

The Council's Constitution sets out procedures and rules for the operation of its functions and responsibilities.

**Equality:**

There are no equality implications arising from the recommendations of this report.



## ARTICLE 4 - THE FULL COUNCIL

### Terms of Reference

1. The Council, and only the Council, will exercise the following functions:
  - (a) Adoption of and changes to the Constitution;
  - (b) Approval of, adoption of and revisions to the policy framework and the budget. (The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits);
  - (c) Adoption of the following:
    - Asset Management Plan
    - Capital Strategy
    - Community Plan/Strategy
    - Corporate Plan
    - Crime and Disorder Reduction Strategy
    - Leisure and Cultural Strategy
    - Local Plan and plans and strategies which comprise the Plan
    - Economic Development Strategy
    - Housing Investment Programme
    - Local Transport Plan
    - Social Inclusion StrategyOther plans which it decides, as a matter of local choice, should be the responsibility of the Council to adopt or are otherwise required by statute.
  - (d) Approval of any application to the Secretary of State in respect of any Housing Land transfer, which includes but is not limited to, the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985;
  - (e) Adoption of the Council's Code of Conduct;
  - (f) Subject to the urgency procedure, contained in the Access to Information Procedure Rules in Part 4 of the Constitution, making decisions about any matter in the discharge of an executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
  - (g) Election/Appointment of the Chairman and Vice-Chairman of the Council;
  - (h) Appointing the Leader of the Council;

- (i) Appointments to Committees and Sub-Committees (including Chairmen and Vice-Chairmen) by recommendation of the Appointments Panel (if required) except those relating to Executive functions which are the responsibility of the Leader of Council and those delegated to the Overview and Scrutiny Committee;
- (j) Agreeing and amending the terms of reference for Committees, except those relating to Executive functions which are the responsibility of the Executive and those delegated to the Overview and Scrutiny Committee;
- (k) Appointing representatives to outside bodies except those relating to executive functions which are the responsibility of the Leader of Council;
- (l) Adopting an allowances scheme under Article 2 as set out in Part 6 of this Constitution and setting the allowances of the Chairman and Vice Chairman of Council;
- (m) Confirming the appointment or dismissal of the Head of Paid Service;
- (n) Agreeing proposals for redundancy of Chief Executive, Directors, Monitoring Officer, Deputy Monitoring Officer and Chief Financial Officer;
- (o) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (p) All local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the executive;
- (q) Approval of or changes to the scheme of Council delegation set out in Part 3 of this Constitution; and
- (r) The appointment of Honorary Aldermen and Alderwomen under the procedure agreed by the Council on 20 December 2018.
- (s) The appointment of Member Champions under the procedure agreed by the Council on 30 July 2019.
- (t) All matters that fall to the Council as set out in the Council procedure rules in Part 4 of this Constitution.

### **Council Meetings**

2. There are three types of Council meeting:

#### **(a) The annual meeting**

The annual meeting will take place within 21 days of the retirement of the outgoing councillors, no later than June each year.

The annual meeting will:

- (i) elect a person to preside if the Chairman of the Council is not present;
- (ii) elect the Chairman of the Council;
- (iii) appoint the Vice-Chairman of the Council;

- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Chairman of the Council;
- (vi) elect the Leader of the Council;
- (vii) be notified by the Leader of the Council of appointments to the Cabinet, on the establishment of Cabinet Committees and memberships, delegation of Executive responsibilities to Cabinet members and officers and appointments to outside organisations carrying out executive functions;
- (viii) Receive a report from the Appointments Panel and determine those appointments that are the responsibility of the Council, including the Chairmen and Vice-Chairmen of Committees, Panels and Groups, and appointments to outside bodies;
- (ix) agree the scheme of delegation of functions which are not the responsibility of the Leader of Council;
- (x) approve a programme of ordinary meetings of the Council for the year;
- (xi) consider any business set out in the notice convening the meeting;

**(b) Ordinary meetings**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (ii) approve the Minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Chairman of the Council, the Leader of the Council and members of the Executive;
- (v) receive questions from and provide answers to the public and members of the Council in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting in the following order:
  1. Public Questions
  2. Questions under Notice by Councillors
  3. Questions by Councillors to the Leader of Council, Cabinet members and the Chairman of the Overview and Scrutiny Committee on written reports and on questions without notice on other matters in accordance with rules set out in the rules for questions set out in the Rules in Part 4 of this Constitution.
- (vi) receive reports from the Leader of the Council on the appointment of a Deputy Leader, the Cabinet, Cabinet Committees, Responsibilities of Cabinet members, appointments to outside organisations which are the responsibility of the Executive and delegation of Cabinet functions to officers;

- (vii) receive a report from the Leader of the Council on any delegation of executive functions to Joint Committees and local Committees;
- (viii) receive written reports from the Leader of the Council, the Chairman of the Overview and Scrutiny Committee and each of the Portfolio Holders and receive questions and answers on any of those reports or any matters falling within their area of responsibility;
- (ix) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (x) consider motions;
- (xi) consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committees for debate, including annual reports for both Overview and Scrutiny Committees and the Executive on their activities in April of each Council year;
- (xii) any matter of public concern allocated to any ordinary Council meeting for the purpose of debate;
- (xiii) deal with any items of business deemed by the Chairman as urgent business in accordance with Section 100B(4) of the Local Government Act 1972.
- (xiv) debate and respond to petitions where the number of signatures meets or exceeds the trigger level contained in the Council's petitions scheme

**(c) Extraordinary meetings.**

An extraordinary meeting of the Council shall transact the business set out in the agenda but shall exclude motions and questions. Single Issue Council meetings will be an extraordinary meeting.

**Responsibility for Functions**

3. The Council will keep up-to-date the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive.