

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 5 November 2019

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.50 pm

Members Present: Councillors R Bassett (Chairman), H Kane (Vice-Chairman), N Bedford, P Bolton, R Brookes, L Burrows, G Chambers, D Dorrell, I Hadley, S Heap, S Heather, R Jennings, S Jones, S Kane, H Kauffman, P Keska, Y Knight, J Lea, J Leppert, A Lion, J Mclvor, L Mead, A Mitchell, G Mohindra, S Murray, S Neville, A Patel, J Philip, D Plummer, C P Pond, C C Pond, S Rackham, B Rolfe, M Sartin, J Share-Bernia, P Stalker, S Stavrou, D Stocker, D Sunger, B Vaz, C Whitbread, J H Whitehouse, J M Whitehouse and D Wixley

Apologies: Councillors N Avey, R Baldwin, H Brady, J Jennings, C McCredie, M McEwen, R Morgan, M Owen, C Roberts, D Roberts, B Sandler and H Whitbread

Officers Present: G Blakemore (Chief Executive), N Boateng (Service Manager (Legal) & Monitoring Officer), T Carne (Team Manager (Corporate Communications)), N Dawe (Interim Strategic Director & Chief Financial Officer), S Jevans (Interim Strategic Director), A Rose (Marketing & Digital Content Officer) and S Tautz (Democratic Services Manager)

46. WEBCASTING INTRODUCTION

The Democratic Services Manager reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

47. FORMER COUNCILLOR N. GREEN OBE

The Chairman informed members that former Councillor Norma Green OBE had recently passed away.

Norma Green had represented the High Beach Ward of the District, as a Conservative district councillor from 1995 to 2002. She had served on many of the Council's committees, working groups and outside bodies during this time. She had been awarded an OBE for political services and received the Citizen of the Year by the Council in 2011.

Members paid tribute to the memory of the former district councillor and stood for a minute's silence in her memory.

48. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 19 September 2019 be taken as read and signed by the Chairman as a correct record.

49. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor I Hadley declared a non pecuniary interest in agenda item 12 (Morton, Bobbingworth and the Lavers Neighbourhood Plan) by virtue of being the District Ward Councillor for Morton, Bobbingworth and the Lavers. Councillor I Hadley advised that he would remain and vote on this item.

50. ANNOUNCEMENTS

(a) The Chairman's Announcements

The Chairman advised that he had hosted a charity event on the 28 October 2019 in aid of Young Carers which had raised £1100. He had also organised a business network event for the promotion of small businesses which would be held in the Civic Offices on 28 November 2019.

Furthermore, he had attended the recent Diwali celebrations at the BAPS Shri Swaminarayan Mandar in Chigwell and a Firework display at North Weald Airfield provided by the Epping & Ongar Round Table.

(b) Flowers

The Chairman announced that he intended to send the flowers from the meeting to St Clare's Hospice in Hastingwood.

51. PUBLIC QUESTIONS**Transport for London (TfL)– Works to the Central Line, Chigwell****Question by D Rye to Councillor N. Avey (Contracts and Technical Portfolio Holder)**

"At the last council meeting I attended, when questions were put to this council regarding the TfL issue in Chigwell. Members were clearly told that the work that was being undertaken by TfL was, and I quote ' Emergency work to the embankment with regard to the subsidence'.

I wish to inform the council that since September, apart from erecting hoarding, there has been absolutely no work carried out on the embankment, nor will there be until, quote 'Spring 2020'.

Considering that potentially no work will be carried out for at least 6 months, at a time when there is more chance of subsidence due to adverse weather; does the council still consider this as emergency work and what action will it take to ensure that any extension on the lease of land in Lechmere Ave is adhered to by TfL and that TfL will not be allowed continuous extensions to this lease for months or years to come, regardless of the amount of money it is paying EFDC for the privilege to use this land?"

Response given by Councillor A. Lion (Strategic Projects Portfolio Holder) on behalf Councillor N. Avey (Contracts and Technical Services Portfolio Holder)

"I would like to thank the member of the public who submitted a question and are present to address the Council this evening, regarding ongoing work to the Central Line in the Chigwell area. I may not be able to fully answer the questions raised

tonight, as I need to rely on Transport for London (TfL) for some of the responses, but I will endeavour to address residents' concerns in this regard.

The Central Line offers a key mode of transport for our residents, businesses and visitors. Due to the usage and age of the Central Line, it is necessary to carry out routine as well as any urgent repair works to the line in the Chigwell area should the need arise. Regarding the question relating to 'Emergency work to the embankment with regard to the subsidence' and the fact that despite hoarding being erected since September, no work has currently been carried out by TfL, I would like to clarify the definition of works, in that TfL consider the works to be 'Urgent' and not emergency, as has been quoted in your correspondence. The embankment in question is electronically monitored by TfL and therefore should works be required prior to the proposed Spring 2020 date, then they will be aware of the requirement to attend.

As further explanation, TfL have responded and provided the following explanation:

'The works are considered as urgent. In the interim prior to construction works commencing slope monitoring is being carried out on monthly basis until the start on site date to ensure there is no further slope movement since vegetation clearance.'

With regards to the licence granted to TfL by Epping Forest District Council, the licence is for a two-year period from 12 December 2018 and therefore expires on 11 December 2020. Therefore, the use of the area for the works planned in the Spring of 2020 will be covered by the existing licence."

Supplementary question by D Rye to Councillor A. Lion (Strategic Projects Portfolio Holder)

"If the permit was extended how would residents be able to submit comments on the extension and as set out in the permit conditions would the Council ensure that TfL informed residents at all stages."

Councillor A. Lion (Strategic Projects Portfolio Holder)

"The Council's website would continue to be updated with the latest information provided from TfL. He understood the residents' concerns although it was in the hands of TfL."

52. QUESTIONS BY MEMBERS UNDER NOTICE

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

53. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET

The Council received written reports from Portfolio Holders. The Chairman invited the Leader of Council to provide an oral report and the opportunity for other members of the Cabinet to give updates on matters concerning their relevant portfolios.

(a) The Leader of the Council

Councillor C Whitbread advised that he had been involved in a number of internal and external meetings since the last Council meeting.

In preparing the forthcoming budget, options were being considered for the St John's Road Site and the Accommodation Strategy and progress on the Council's

development company would be scrutinised at Overview and Scrutiny Committee on 19 November 2019. The budget also included a number of innovative ideas including bringing back the Highway Rangers.

Finally, he had attended the recent South East Local Enterprise Partnership (SELEP) meeting to discuss some of the economic development issues in the surrounding areas.

(b) Strategic Projects Portfolio Holder

Councillor A Lion advised that he had become the Deputy Chairman of the London, Stansted, Cambridge Corridor (LSCC) which incorporated the economic area around Epping Forest, Uttlesford, Harlow, Broxbourne and Hertfordshire and helped to influence the economic development within LSCC area.

He would also be attending the Joint Health Overview & Scrutiny Committee on 6 November 2019, which would be scrutinising the proposals to relocate the Moorfields Eye Hospital from Islington to a new site in St Pancras.

Finally he had attended digital showcase regarding the Digital Innovation Zone for Epping Forest, Hertfordshire and Essex.

(c) Commercial and Regulatory Services Portfolio Holder

Councillor A Patel provided the Council with an update on the Group Company Structure that had been approved by Cabinet on 11 July 2019. He advised that a members and officers steering group had been established, which met on a fortnightly basis since September 2019 to progress the project.

Following a request from the Chairman of the Overview and Scrutiny Committee, an update on the Group Company Structure had been submitted to Overview and Scrutiny on 19 November 2019.

54. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) People Strategy

Councillor S Heather asked the Leader whether he could assure members that the People Strategy was proceeding as planned.

Councillor C Whitbread advised that the People Strategy was progressing as planned and 77% of roles had gone to internal candidates before any external recruitment had taken place. There had been no significant increase in leavers compared to previous years and he was confident that the process would make the Council stronger.

(b) Ivy Chimneys, Epping

Councillor J H Whitehouse asked whether the meeting mentioned in the Contacts and Technical Services Portfolio Holder report about Ivy Chimneys in Epping was the meeting she had arranged on 14 November 2019.

Councillor C Whitbread replied on behalf of the Contacts and Technical Services Portfolio Holder and advised that he would asked Councillor N Avey and report back to Councillor J H Whitehouse.

(c) Company Group Structure

Councillor S Murray asked the Commercial and Regulatory Portfolio Holder whether he considered the appointment process for the Company Group Structure democratic and acceptable for the level of appointments made.

Councillor A Patel advised that he and Councillor S Stavrou, in consultation with the Chairman of Overview and Scrutiny Committee, Councillor M. Sartin had requested that a report regarding the Company Group Structure and recent achievements would be brought to the next Overview and Scrutiny Committee for scrutiny.

(d) Recent Dispersal Order Issued in Theydon Bois

Councillor S Jones asked the Community and Partnerships Portfolio Holder that following the recent requirement of a Dispersal Order in Theydon Bois village centre on 31 October 2019; whether any other Dispersal Order's had issued in the District and whether the EFDC funded Police had been deployed.

Councillor N Bedford advised that a total of 24 officers had been deployed over the District on 31 October 2019, which had been a mix of Council Police teams, Loughton Community Police, 4 Park Guard Officers and 2 EFDC CCTV operators based on geographical requirement.

A substantial number of fireworks had been seized and destroyed in Debden; a Dispersal Order had been issued in Theydon Bois; and criminal damage caused by fireworks had been reported in Epping High Street. There had been no arrests made and the Police had asked anyone able to identify the people in the CCTV images in Epping, to report the information either online or to community officers.

(e) Company Group Structure

Councillor H Kauffman asked the Commercial and Regulatory Portfolio Holder about the establishment of the Council Group Company and for further information on the following;

- (i) what the company entailed;
- (ii) whether a process could be put into place to ensure members of the Council were satisfied with the development programme;
- (iii) what the Council's liability was;
- (iv) what the remit of the company was; and
- (v) whether there was a non-executive director to ensure checks and balances were made.

Councillor A Patel asked that the Councillor H Kauffman put his questions in writing and he would consult with officers and reply to him in writing.

(f) Funding for Police Community Hub

Councillor D Sunger asked the Community and Partnership Portfolio Holder whether further funding would be made available for the Police Community Hub in the future.

Councillor N Bedford advised that funding would be made available and it had been included in the budget going forward. This would enable the current Police Officer levels to remain and the continuation of the reduction in crime across the District.

(g) Transport for London (TfL), Local Plan Car Park Sites

Councillor C C Pond asked whether any communication had been received from TfL regarding their car park sites for housing development suggested in the Local Plan.

Councillor J Philip advised that the advice from the Planning Inspector had been to limit the size of all development on the TfL Car Park Sites suggested in the Local Plan. A meeting had taken place with TfL, although no decision had been made and he would keep members informed of any progress.

(h) Climate Emergency Motion

Councillor S Neville asked the Leader of Council that following the approval of Council on 19 September 2019, to declare a Climate Emergency;

(a) when would the Council publish an action plan on how they would achieve the target to become carbon neutral by 2030;

(b) how would the Council monitor carbon emissions in the Epping Forest area to achieve the target; and

(c) when would a Cabinet member be appointed to lead on this item.

Councillor C Whitbread advised that a response would be issued in the Members Bulletin and a Cabinet appointment would be considered at the next Cabinet meeting.

(i) Enforcement of Construction Work and Damage to Highways and Verges

Councillor M Sartin asked the Planning Services Portfolio Holder whether the Council could follow the examples of other authorities mentioned in his report regarding enforcement on owners/developers to repair any damage to footways, verges etc associated with their developments.

Councillor J Philip advised that the Council were looking at several ways to ensure that damage was repaired, which included larger application sites being asked for a Construction Methodology Statement and linking that to a section 106 agreement in conjunction with Highways Authority. With regards to smaller applications, consideration was being given to a unilateral undertaking on behalf of the developer to take a view of the status of the footways and verges before and after the development, ensuring that the Council could take action without the involvement of the Highway Authority.

(j) Electric Charging Points in Council Car Parking

Councillor R Brookes asked the Contracts and Technical Services Portfolio Holder whether the Council would consider putting more electric charging points in Council owned car parks in the District.

Councillor A Lion answered on behalf of the Contracts and Technical Portfolio Holder and advised that there were a number of car parks with a power supply and the Council was looking into providing electric points. Although considerations had to be given between the usage of the electric charging point and the usage of the car parking space being required for other users, as this was also a critical issue in the District.

(k) Proposed Reduce TfL Service on the Central Line

Councillor G Mohindra asked the Contacts and Technical Services Portfolio Holder if he could write to TfL about the proposed reduction in services which was incongruous with people using public transport and to urge the London Mayor to reconsider this decision.

Councillor A Lion answered on behalf of the Contracts and Technical Portfolio Holder and advised that a Change.org petition had been set up for this issue which had received over 8,500 signatures. He advised that he would be writing to TfL and would like to see them attend a future meeting of the Overview and Scrutiny Committee.

(l) Highway Rangers

Councillor P Stalker asked the Community and Partnerships Portfolio Holder when the Highway Rangers would be available again to local residents.

Councillor N Bedford advised that the Council was in negotiations for the return of the Highway Rangers and expenditure had been included in the budget for 2020/21. Essex County Council would be funding the Highway Rangers and the Council would be adding an additional £20,000. Once the negotiations had been completed he would advise members through the Members Bulletin.

(m) Company Group Structure

Councillor J M Whitehouse asked the Commercial and Regulatory Portfolio Holder for assurances that the report provided to the Overview and Scrutiny Committee on 19 November 2019 regarding the Company Group Structure would provide the relevant financial information and details required for scrutiny.

Councillor A Patel advised that the report provided would be suitably detailed, although some information may be commercial sensitive and not publicly available.

(n) Customers Hub, North Weald

Councillor P Bolton asked the Leader of the Council what progress had been made on the financial agreement with North Weald Parish Council regarding the lease of land at North Weald Airfield to Her Majesty's Revenue and Customs.

Councillor C Whitbread advised that he had attended a recent meeting at North Weald Parish Council with the Chief Executive to discuss some local issues, where they were able to hand over these funds.

(o) Service Delivery

Councillor D Plummer asked the Business Services Portfolio Holder whether she could assure members that the trade unions representing staff at the Council had been fully consulted and engaged with the restructuring process. In addition, members of the public were experiencing difficulties speaking to staff and were finding that queries were not being answered and whether this was linked to an increase in work loads.

Councillor C Whitbread advised that if this was in relation to a letter sent to members from a member of Unison, he believed that this was not the correct forum to discuss the issues raised. He believed some elements of the letter were incorrect and he had every confidence in the process of the People Strategy. He would be responding to the Unison letter shortly.

(p) Stewardship – Garden Town

Councillor D Wixley asked the Planning Services Portfolio Holder whether the stakeholder event for members and representatives from town/parish councils mentioned in his report was open to all members.

Councillor J Philip advised that this meeting was not opened to all members as it related to the future stewardship of the Harlow & Gilston Garden Town and what the right model would be for Gilston, Water Lane, Latton Priory and the east of Harlow areas.

(q) Local Plan

Councillor S Heap asked the Planning Services Portfolio Holder what the current financial cost of the Local Plan was and when would the use of consultants cease in this area.

Councillor J Philip advised that there were several stages still to complete and at this point in the process it would not be advantageous to change the consultants. At the next Cabinet meeting there would be a progress report on the Local Plan and he would update members with a current cost.

(r) Parking Charges

Councillor D Plummer asked the Strategic Projects Portfolio Holder what could be done about the disparity between parking permits and residents permits in areas such as Waltham Abbey, as it was having a detrimental effect on residents with cars parking on pavements.

Councillor A Lion advised that all parking charges were being considered and he would come back to Councillor D Plummer.

(s) Fixed Penalty Notices (FPN)

Councillor J H Whitehouse asked the Commercial and Regulatory Portfolio Holder whether he was aware that in order for offenders to receive an FPN for air pollution, an officer had to first ask the offender to switch off their engine. This therefore enabled the offender to escape FNP, which differ to other FNP offenses.

Councillor A Patel advised that officers followed the legislation in regards to FNP for air pollution.

(t) New Hospital

Councillor J Lea asked the Commercial and Regulatory Portfolio Holder if he could update members on the announced new purpose built hospital, to be built the District.

Councillor A Patel advised that confirmation of a new hospital had been received in September 2019, which looked to relocate the Princess Alexander Hospital in Harlow to a new site in the District by 2025. The site identified was near the newly proposed M11 Junction 7a and confirmation was being sought from the Minister of Health.

Councillor J Philip added that area had been identified in the Local Plan as part of the allocation for the East of Harlow and it would be a significant asset in the District.

55. MOTIONS

Fireworks

Moved by Councillor S. Murray and seconded by Councillor S. Neville

“This Council resolves:

- (1) to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (2) to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- (3) to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays; and
- (4) to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.”

Amendment moved by Councillor S Murray and seconded by Councillor S Neville

That in (1) the word ‘requires’ was replaced it with ‘encourage’.

Carried

Amendment moved by Councillor N Bedford and seconded by Councillor A Lion

That the following be added to the end of (3) “and in the case of Class 1, 2 and 3 fireworks to review the age that they can be sold”

Carried

Amendment moved by Councillor J McIvor and seconded by Councillor J Philip

That in (3) the following “to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB” was replaced with “urge the Government to review a suitable limit for the noise of fireworks”

Lost

Motion as amended ADOPTED

RESOLVED:

This Council resolves:

- (1) to encourage all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (2) to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;

- (3) to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays and to seek the review of the current age limit restrictions on the sale of Class 1, 2 and 3 fireworks; and
- (4) to encourage local suppliers of fireworks to stock 'quieter' fireworks.

56. CONSTITUTION WORKING GROUP

Mover: Councillor S. Jones Chairman of Constitution Working Group

Councillor S Jones advised that the Constitution Working Group had reviewed the anomaly in relation to public speaking and site visits for planning applications referred to the Council from the District Development Management Committee.

It was considered that the procedure for the registration of applicants, objectors and local town and parish councils (or representatives) to speak at a Council meeting should be applied to all planning applications referred to Council and that on the recommendation of the Service Director (Planning Services), the Chairman of Council approve a formal site visit for all members (where appropriate) on these applications.

Report as first moved **ADOPTED:**

RESOLVED:

- (1) That existing arrangements for public speaking in respect of planning applications that currently only apply to meetings of the District Development Management Committee and the Area Plans Sub-Committees, be extended to all planning applications considered by the full Council;
- (2) That any proposal for the holding of a formal site visit for all members with regard to any planning application to be considered by the full Council, be approved by the Chairman of the Council on the recommendation of the Service Director (Planning Services); and
- (3) That pursuant to recommendations (1) and (2) above, the Monitoring Officer be authorised to make necessary revisions to the Council's Constitution to give effect to the adoption of arrangements for public speaking and the holding of member site visits, with regard to all planning applications considered by the full Council.

57. CONSTITUTION - SCHEME OF DELEGATION

The Monitoring Officer presented a report to the Council regarding revisions to the Council's Scheme of Delegations (Delegation of Executive Functions) following the ongoing implementation of the People Strategy and the appointments to managerial and specialist positions.

Report as first moved **ADOPTED:**

RESOLVED:

- (1) That the proposed revisions to the Council's Scheme of Delegation (Delegation of Executive Functions) as attached be agreed; and
- (2) That pursuant to recommendation (1) above, the Monitoring Officer be authorised to make changes to the Scheme of Delegation contained within the Council's Constitution, as required to give effect to the changes to the Scheme of Delegation.

58. MORETON, BOBBINGWORTH AND THE LAVERS NEIGHBOURHOOD PLAN

Mover: Councillor J Philip, Planning Services Portfolio Holder

Councillor J Philip advised that under the Localism Act 2011, Moreton, Bobbingworth and the Lavers had prepared a Draft Neighbourhood Plan, which had been through the relevant stages and now required the Council to 'make' the Neighbourhood Plan within an 8 week period of the referendum. This ensured that the Neighbourhood Plan would form part of the statutory development plan and sat alongside the Epping Forest District's Local Plan.

Report as first moved ADOPTED

RESOLVED:

That the Moreton, Bobbingworth and the Lavers Neighbourhood Plan be 'made' (adopted) as part of the Epping Forest District's statutory development Plan.

59. OVERVIEW AND SCRUTINY COMMITTEE

Councillor M Sartin advised that at the next meeting of the Overview and Scrutiny Committee on 19 November 2019, Voluntary Action Epping Forest (VAEF) would be attending to give a presentation and to answer questions. She asked that members submit questions to the Democratic Services Manager, S Tautz, so that they could be passed onto VAEF and answers could be provided at the meeting.

Furthermore, at this meeting there would also be an update on the Council's Transformation Project, particularly focusing on the People and Accommodation Strategies, as well as the Group Company Structure. This would give members the opportunity to ask the relevant Portfolio Holders further questions.

Finally, the Committee would be inviting Transport for London (TfL) to a future meeting to discuss the recent action concerning the rescheduling of the timetable for the Central Line between Epping, Theydon Bois and Debden.

Councillor G Mohindra advised that at a meeting earlier in the day, issues had been discussed with TfL regarding the reduction in peak time trains in the District, changes to the Hainault loop, the car parks suggested for housing in the Local Plan and the issues mentioned earlier in the agenda regarding works in Chigwell. He advised that the amended time table was due to be implemented on 26 January 2020 and it would be good to discuss this with TfL again before this date.

Councillor S Murray apologised for comments made in reference to the Chairman of the Overview and Scrutiny Committee, Councillor M Sartin at the last Council meeting. Furthermore, he asked that she ensured detailed reports were provided to members before the meeting Overview and Scrutiny Committee on 19 November

2019 regarding the People Strategy, Accommodation Strategy and the Group Company Structure.

60. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

(a) Board of Governors of New City College and local advisory body for the Epping Forest Campus College

Councillor R Bassett advised as that he had attended a stakeholder forum for the Epping Forest Campus on 8 October 2019. At this meeting the Terms of Reference had been agreed and meetings were to be concluded every 2 months with information passed onto the main board and management of college.

He had been asked to chair the stakeholder group and following a meeting with the Council's Chief Executive, G Blakemore and Community and Partnership Service Director J Chandler with the Deputy Principle of the New City Board, there appeared to be commitment to the Epping Forest Campus. He would update members accordingly through the Members Bulletin.

Councillor S Murray commented that he was not sure whether the Stakeholder Forum would be able to bring enough influence on the decisions that mattered to the residents of the District. Although, he was sure if any local knowledge was required for Councillor R Bassett, Loughton Ward Councillors would assist him in his role.

(b) Royal Gunpowder Mills, Waltham Abbey

Councillor C C Pond asked the Royal Gunpowder Mills representative, Councillor H Kane if she could give members an update on rumours circulating in the community about the visitor attractions site.

Councillor H Kane advised that the next meeting had been scheduled later in November 2019 and she report back to the next council meeting.

CHAIRMAN

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

1. GENERAL PRINCIPLES

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

2. GENERAL LIMITATIONS

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

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

3. GENERAL PROVISIONS

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

4. SPECIFIC DELEGATIONS

4.1 Leader of Council

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

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

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

4.2 Cabinet Members

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

4.3 Officers

May take any decision which:

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

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:

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

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

5. SPECIAL CIRCUMSTANCES

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

EXECUTIVE FUNCTIONS – DELEGATION BY THE LEADER OF COUNCIL

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXA1	Finance Sub-Committee (Minute 398 - 31.1.80)	ANY LEVEL 3 OR 4 OFFICER WITHIN THEIR MANAGEMENT CONTROL	AGENDA AND MINUTES - CHARGES TO SUBSCRIBERS To approve charges.
EXA2	Housing Committee (Minute 74 – 4.3.92)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES	AGRICULTURAL DWELLINGS To accept applications for rehousing and offer suitable alternative accommodation where the Agricultural Dwelling House Advisory Committee advises that the property is required for occupation by an agricultural employee in the interest of efficient agriculture.
EXA3	Environmental Health and Control Committee (Minute 10 – 10.5.78)	HEALTH PROTECTION AGENCY (HPA) (Any Consultant Staff Member)	AIRCRAFT Proper Officer for the purposes of the Public Health (Aircraft) Regulations 1970.
EXA4	By Leader Decision dated: 26 April 2016	SERVICE DIRECTOR COMMUNITY AND PARTNERSHIPS OR A LEVEL 2 MANAGER NOMINATED BY THEM.	ASB Crime & Policing Act 2014 (see also Annex B for other delegations) Part 2 Criminal Behaviour Orders (CBO) Section 29 To act in cooperation with the Chief Officer of Police when carrying out a review of a CBO on a person under 18 using existing ASB process (10.5) as attached. Part 4, Chapter 3, Section 77 (2) (b) – Closure Notices To issue closure notices of 24 and 48 hours pursuant to the above section.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXA5	Cabinet (Minute 14(4) – 6.10.14)	SERVICE DIRECTOR FOR HOUSING AND PROPERTY OR A LEVEL 2 MANAGER NOMINATED BY THEM	APPROPRIATIONS OF LAND (a) To seek the consent of the Secretary of State for Communities and Local Government, pursuant to Section 19 of the Housing Act 1985, to appropriate land held for housing purposes and identified for Council housebuilding for planning purposes; and (b) Subject to the receipt of such consent, to advertise the Council's intention to make the appropriation in accordance with the provisions of Section 122(A) of the 1972 Act.
EXA6	Leader Decision – 20 December 2019	MONITORING OFFICER CHIEF EXECUTIVE	ASSETS OF COMMUNITY VALUE – LOCALISM ACT 2011 SECTIONS 87-92 To determine nominations made by bodies set out within section 89 of the Localism Act 2011 on Assets of Community Value in accordance with the Council's scheme To determine Appeals made by applicants on determinations made above
EXB1	Development Committee (Minute 19 – 30.5.2000)	ANY LEVEL 4 MANAGER AND SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING ACT 1984 – SECTION 95 AUTHORISATION To authorise designated postholders to exercise powers under Section 95 of the Building Act 1984 to enter premises in connection with the enforcement of the Building Regulations.
EXB2	Development Committee (Minute 23(1) – 6.2.74) Council Minute (Minute 24(1) - 9.7.91)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING REGULATIONS To determine applications under the Building Regulations and associated legislation, including the Building Act 1984,

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXB3	Development Committee (Minute 35(1) – 15.7.99)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR BUILDING CONTROL SURVEYORS NOMINATED BY THEM	BUILDING ACT 1984 To act as Proper Officer for the purposes of Section 78 of the Building Act 1984.
	Development Committee (Minute 35(2) - 15.7.99)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING ACT 1984 To carry out the following functions under the Building Act 1984: (a) Section 34 - serve notices requiring work contravening building regulations to be removed or altered to achieve compliance; (b) Section 77 - approve applications to a Magistrates' Court for an order requiring dangerous buildings or structures to be made safe; (c) Section 79 - serve notices where it appears that a building is by reason of ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood; and (d) Section 81 - serve notices specifying certain matters and conditions in relation to the demolition of buildings.
EXB4	Personnel Sub-Committee (Minute 138 – 20.3.90) and Development Committee	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING CONTROL – VETTING OF APPLICATIONS To enter into working arrangements with other local authorities within East Anglia for the checking of one (Minute 66 - 16.1.90) another's building regulation activities on a consultancy basis, this arrangement to be activated where staffing levels fall below establishment or volume of applications submitted exceeds staffing capacity.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXB5		SERVICE DIRECTOR HOUSING AND PROPERTY SERVICE OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUY-BACK OF FORMER COUNCIL HOUSING To decide, in consultation with the relevant Portfolio Holder, whether or not the Council would wish to exercise its pre-exemption rights to purchase former Council properties previously sold under the Right to Buy (RTB), in accordance with the Housing Act (Right of First Refusal) (England) Regulations 2005, subject to a sufficient amount of unallocated "One for One Replacement" RTB Receipts or Section 106 financial contributions of affordable housing being available.
EXC1	Transportation Committee (Minute 115 – 26.1.93)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARK TARIFFS To determine individual tariffs in off-street Pay and Display Car Parks within agreed policy.
EXC2	Personnel Sub-Committee (Minute 79 – 17.11.81)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARKS (COUNCIL) To determine applications to use Council office car parks. (See also under "Offices – Use of")
EXC3	Policy & Co-ordinating Committee (Minute 44(3) - 29.11.83)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARKS (PUBLIC) To approve the use of Council car parks by charitable organisations or for other charitable purposes.
EXC4	Policy and Co-ordinating Committee (Minute 66(a) - 4.12.90)	CHIEF EXECUTIVE; SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	COMMERCIAL TENANCIES - SERVICE OF NOTICES To sign notices and answers to originate applications for new tenancies under Part II of the Landlord and Tenant Act 1954.
EXC5	Executive Committee (Minute 449 - 11.3.02)	ANY LEVEL 4 OR 3 MANAGER	COMPLAINTS AND COMPLIMENTS PROCEDURE

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			To make payments up to £250 in respect of upheld complaints at Stages 1 & 2
EXC6	Council (Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK INSIDE THE DISTRICT To submit bids for work inside the District, to utilise spare capacity/manpower only.
EXC7	Council (Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK OUTSIDE THE DISTRICT To refer to the Management Board and through them to the Cabinet any proposal involving the authorisation of bids for work outside the district but only in the context of agreed policy for shared services.
EXC8	Policy and Resources Committee (Minute 347 - 14.2.78)	ANY LEVEL 4, 3 or 2 MANAGERS	CONFERENCES - ATTENDANCE BY OFFICERS To approve the attendance of officers at annual conferences, taking into account the subject matter of the conference and the budgetary provision made.
EXD1	Council (Minute 52 – 12.12.2000)	SERVICE DIRECTOR (CUSTOMER SERVICES); SERVICE MANAGER (LEGAL SERVICES) OR NOMINATED DEPUTY); SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	DEBTS To take steps to enforce a debt following the commencement of bankruptcy proceedings, subject to action being reported to the Cabinet.
EXD2	Cabinet minute 25(3) – 23.7.15	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL MANAGER	DEVELOPMENT AGREEMENTS To enter into Development Agreements with private developers, and agree terms for the purchase, for affordable rented housing required to be provided by developers in

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		NOMINATED BY THEM	accordance with Section 106 Agreements, where an opportunity is presented that is considered suitable and appropriate subject to the value being no more than the value considered by the Council to require a key decision.
EXE1	Policy & Co-ordinating Committee (Minute 78 - 1.12.81)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMIATED BY THEM	ENERGY MANAGEMENT & CONSERVATION To implement the Council's policy.
EXE2	Personnel Sub-Committee (Minute 67 - 24.11.87)	ANY LEVEL 4 OR 3 MANAGER	EX GRATIA PAYMENTS To consider and approve the making of appropriate ex gratia payments to staff at all levels for temporarily undertaking significant additional duties and responsibilities subject, in the case of emergencies where payments are not covered by the approved salary budget, to a report being made to the Cabinet.
EXF1	Leisure Services Committee (Minute 5 - 23.5.91)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES (LEISURE CONTRACT) , SERVICE DIRECTOR COMMUNITY AND PARTNESHIPS (CULTURAL AND COMMUNITY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	FEES AND CHARGES – LEISURE To approve the level of fees and charges within the parameters outlined within the Leisure Management Contract. To introduce individual pricing charges for Community Health and Wellbeing and Museum, Heritage and Culture generally in line with the current level of inflation, or in certain circumstances at a rate which reflects the true cost of providing the service.
EXF2	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant Staff Member) (see also under "Disease Control")	FOOD HYGIENE - ENTRY TO PREMISES To act as registered medical practitioner to the Council under the Public Health (Control of Disease) Act 1984 and thereby authorised to enter any premises, vessel or aircraft for the purpose of regulations made under that section.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXG1	Portfolio Holder Decision HSG-029 – 2009/10	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	GARAGES To sell isolated garages in accordance with the Council's Policy.
EXH1	Housing Services Committee (Minute 155 - 12.2.80)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HARDSTANDINGS - COUNCIL HOUSES (a) To approve, subject to satisfactory works to boundary walls, hedges and fences and other necessary works and also Essex County Council being satisfied as to the standard of footpath crossings, applications by tenants to construct car hardstandings in front gardens; and (b) To apply the above policy to hardstandings provided by tenants without permission.
EXH2	Council Housebuilding Cabinet Committee (Minute 4 (5) – 10.7.13)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOMES AND COMMUNITIES AGENCY – SHORT FORM AGREEMENTS That the Service Director (Housing and Property Services) be authorised to enter into Short Form Agreements with the Homes and Communities Agency for all (Council housing) developments, to enable affordable rents to be charged for the properties built under the Housebuilding Programme, and that the "Provider Representative" named in the Agreements be a senior figure at East Thames Group.
EXH3	Council Housebuilding Cabinet Committee (Minute 5 (3) – 10.7.13)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSEBUILDING PROGRAMME – ALLOCATION OF FUNDING TO SCHEMES That, once the Cabinet Committee has authorised the use and provisional level of subsidy required for individual developments and/or development packages, the Service Director (Housing and Property Services) be authorised to allocate funding from the sources listed in Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 to individual developments and/or development packages – utilising the most appropriate source of funding for the development(s), having regard to the time limits within which they must be utilised - up to and in excess of the provisional level approved by the Cabinet Committee, once tenders to undertake the works have been received from contractors, subject to:

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>(a) The amount allocated being no more than 15% of the level provisionally approved by the Cabinet Committee;</p> <p>(b) Sufficient funds being available at the time of allocation; and</p> <p>(c) The Cabinet Committee receiving a report to its next meeting on the amount of subsidy allocated, and its source of funding.</p> <p>Note - Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 lists the following sources of funding:</p> <ul style="list-style-type: none"> • Loans from PWLB • Capital receipts from additional RTB sales covered by the Agreement with CLG • Current and future financial contributions for affordable housing from Section 106 Agreements • Capital receipts from the sale of HRA land or building, where the Cabinet has specifically agreed that they should be used to help fund the Council Housebuilding Programme • Grant from the HCA • Any other external funding sources.
EXH4	Housing Committee (Minute 125-27.1.97)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION – ALLOCATION</p> <p>To allocate accommodation in accordance with the Housing Allocations Scheme.</p>
EXH5	Housing Committee (Minute 49 – 30.10.91)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION - DESIGNATION FOR ELDERLY</p> <p>To cancel designations.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXH6	Housing Committee (Minute 41(20) & (21) – 17.9.96)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING ACCOMMODATION – TENANCIES FOR 'LIVE IN' CARERS To grant requests to provide or extend joint tenancies to 'live in' carers where such requests are considered to be justified.
EXH7	Housing Committee (Minute 93(b) - 11.3.87)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING DEFECTS - PLANNING APPLICATIONS FOR REINSTATEMENT WORKS To submit applications for deemed planning consent in connection with the reinstatement of all Council owned designated defective dwellings.
EXH8	Portfolio Holder Decision (1.3.04)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING LAND – USE FOR COMMUNITY EVENTS To grant licences for community events to be held on housing land in the future, subject to consultation with Ward Members and local residents (where residential properties are located nearby) and all health and safety insurance requirements being met by the organisation staging the event.
EXH9	Council (Minute 23(7)(2) - 29.6.82) Housing Committee (Minute 116(4) - 26.1.98)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (in consultation with the appropriate Portfolio Holder)	HOUSING LAND - SURPLUS PLOTS To negotiate, agree terms and dispose of surplus plots of garden land (in consultation with the relevant Portfolio Holder and appropriate Ward Members) as identified by the Council.
EXH10	Deleted July 2018		
EXH11	Cabinet (Minute 155 – 6.2.06)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING OPTIONS CONSORTIUM To exercise the Cabinet's functions in respect of the Housing Options Consortium, being a partnership of local authorities of which the Council is a member.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXH12	Housing Committee (Minute 74 - 4.3.92)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING REGISTER RULES – WAIVING To waive Housing Register Rules where the Service Director (Housing and Property Services) considers there are good grounds for so doing.
EXH13	Housing Services Director Committee (Minute 6(a)(iii) - 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	(HOUSING) MUTUAL EXCHANGES To approve applications under the Mutual Exchange Scheme.
EXI1	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant member of staff)	ILLNESS - PERSONS IN NEED OF CARE AND ATTENTION To act as proper officer to the Council for the purposes of Section 47 of the National Assistance Act 1948 (removal to suitable premises of persons in need of care and attention or those suffering from grave chronic illness).
EXI2	Public Health Committee (Minute 72 - 21.9.83) (Minute 92 - 17.3.92)	HPA (Any Consultant member of staff)	INFECTIOUS AND COMMUNICABLE DISEASES To act as proper officer to the Council for the purposes of the Public Health (Infectious Diseases) Regulations 1968, the Public Health (Control of Diseases) Act 1984 and Section 47 of the National Assistance Act 1948.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXL1	<p>Council (Minute 23 – 15.5.08)</p> <p>Cabinet (Minute 42 – 29.7.13)</p>	<p>SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES AND ANY LEVEL 2 MANAGER NOMINTED BY THEM (AND RELEVANT STAFF DULY AUTHORISED TO ACT ON HIS BEHALF)</p>	<p>LAND DRAINAGE AND FLOOD DEFENCE</p> <p>To act under the statutory provisions in the Epping Forest District Council – Land Drainage Byelaws 2005.</p> <p>To act under the statutory provisions listed below:</p> <p>Land Drainage Act 1991</p> <p>Section 14 General drainage powers to maintain, construct and improve drainage works etc</p> <p>Section 15 Disposal of spoil from works to watercourse</p> <p>Section 23, 24 and 25 Consenting to and enforcement of ordinary watercourses as delegated by Essex County Council as amended by the Flood & Water Management Act 2010</p> <p>Sections 26 and 27 Powers to require works for maintaining flow of watercourses etc</p> <p>Section 64 Powers of entry for internal drainage boards and local authorities</p> <p>Public Health Act 1936</p> <p>Section 260 Power to deal with ponds, ditches etc</p> <p>Section 262 Power to require culverting of watercourses and ditches where building operations in prospect</p> <p>Section 263 Approval of plans to culvert or cover any stream or watercourse</p> <p>Section 264 Issue of notice requiring the repair or cleansing of culverts</p> <p>To approve updates to the list of legislation set out above.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated								
EXL2	Leader decision May 2016	<p>SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM</p> <p>ESTATES MANAGEMENT SPECIALIST</p> <p>(in amounts shown in column 4)</p> <p>SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES (or officer duly authorised) for Land held under Housing Act Powers Only</p>	<p>LANDLORD AND TENANT - MANAGEMENT OF COUNCIL PROPERTY</p> <p>(a) To serve notices under Part II of the Landlord and Tenant Act 1954 as amended by Part I of the Law of Property Act 1969 in connection with negotiation of new rentals for Council properties.</p> <p>(b) To take immediate corrective management action (except the institution of legal proceedings) for breaches of covenant in leases of shops, industrial estates and industrial land</p> <p>(c) For all property transactions including acquisitions, disposals, new lettings, lease renewals, lease surrenders, rent reviews, sub-lettings / assignments, all licences (including change of use, alterations), deeds of variations, wayleaves and rights of way, and licences to cross council land.</p> <p>Officers delegated to approve the above transactions for the following amounts and by the Officer approval levels shown:</p> <p>Revenue transactions:</p> <table> <tr> <td>Level 2 Manager/ Estates Management Specialist –</td> <td>up to £25,000 per year</td> </tr> <tr> <td>Service Director -</td> <td>£25,001 to £100,000 per year</td> </tr> </table> <p>Capital Transactions:</p> <table> <tr> <td>level two manager –</td> <td>up to £50,000 per transaction</td> </tr> <tr> <td>Service Director -</td> <td>£50,001 to £500,000 per transaction</td> </tr> </table> <p>(d) To approve licences to assign and licences for change in use in consultation with the relevant Portfolio Holder.</p>	Level 2 Manager/ Estates Management Specialist –	up to £25,000 per year	Service Director -	£25,001 to £100,000 per year	level two manager –	up to £50,000 per transaction	Service Director -	£50,001 to £500,000 per transaction
Level 2 Manager/ Estates Management Specialist –	up to £25,000 per year										
Service Director -	£25,001 to £100,000 per year										
level two manager –	up to £50,000 per transaction										
Service Director -	£50,001 to £500,000 per transaction										
EXN1	Policy and Co-ordinating Committee Minute 44(3) – 29.11.83	<p>SERVICE DIRECTOR BUSINESS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM</p>	<p>NAMING OF STREETS</p> <p>To approve the names of new streets in accordance with the Town and Police Clauses Act 1847, where, following consultation, one name is agreed by all parties.</p>								

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXN2	Council (Minute 138 – 28.4.09) Portfolio Holder Decision L/001/2005/6 dated 20.5.05	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	NORTH WEALD AIRFIELD - NON- COMMERCIAL LETTINGS (a) To negotiate and produce agreements and licences for all regular bookings and single events (of a non-public character) which comply with the standard licence agreement and fees operated by the Council. (b) To negotiate in liaison with the Airfield Manager, any arrangements regarding use of the Airfield (except those which fall under item (1) above), and, where appropriate, to draft and execute appropriate agreements or licences for all Airfield uses including any negotiated under (a) above, (c) That subject to compliance with the Council's policy to sanction the Concessionary Hire of Leisure Facilities by, or on behalf of, registered charities, for Fundraising Events.
EXN3	Public Health Committee (Minute 72 – 21.9.83)	HPA (Any Consultant member of staff) (See also under "Disease Control")	NOTIFIABLE DISEASES To act as proper officer for the purposes of the Public Health (Control of Disease) Act 1984.
EXN4	Cabinet (Minute 142 – 14.3.05)	SERVICE DIRECTORS FOR COMMERCIAL AND REGULATORY AND COMMUNITY AND PARTNERSHIPS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (or authorised Officer)	NUISANCES Authority to make closure orders under Section 40 of the Anti Social Behaviour Act 2003 and to give notices of cancellation of closure orders under Section 41 of that Act

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXO1	Personnel Sub-Committee (Minute 79 – 17.11.81)	ANY LEVEL 4 OR 3 MANAGER	OFFICES - USE OF To determine applications to use Council offices (See also under "Car Parks (Council)").
EXO2	Cabinet Minute 151(10) – 18.4.11	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES	OFF STREET CAR PARKING SCHEMES "To submit planning applications for future off-street parking schemes at the appropriate time after the resident consultation exercise."
EXO3	Policy and Resources Committee (Minute 3 – 11.10.73)	SERVICE DIRECTOR BUSINESS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	ORDNANCE SURVEY To act as proper officer for the purposes of Section 191 of the Local Government Act 1972 (Marking out and checking of reputed boundaries).
EXP1	Leader Decision dated April 2016	SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM PRINCIPAL BUILDING CONTROL SURVEYOR	PARTY WALL ACT 1996 SECTION 10 (8) To act as Appointed Officer pursuant to Section 10(8) of the Party Wall Act 1996 which allows the appointment of a third surveyor to resolve party wall disputes.
EXP2	Policy and Co-ordinating Committee (Minute 99 – 21.11.89)	SERVICE MANAGER LEGAL SERVICES	PHYSICAL ASSAULTS ON STAFF In the event of the Crown Prosecution Service not proceeding after physical assault on a Council employee, to give instructions to prosecute where they consider that the Attorney General's guidelines for prosecutions in a private prosecution for assault are satisfied.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	<p>(Minute 46 – 12.9.2000)</p> <p>Housing Management Sub Committee (Minute 161 – 15.2.77)</p> <p>Portfolio Holder Decision (24.3.2004)</p>		<p>(g) to initiate proceedings in the County Court for possession and the recovery of rent, mesne profits, service charges and court costs, in accordance with relevant legislation; and</p> <p>(h) to seek and execute warrants of execution for possession; and</p> <p>(i) to undertake the actions set out in (a), (b) and (c) above, in respect of non-secure tenancies and licences at the Council’s Homeless Persons’ Hostel (Norway House) including the eviction of any homeless person who defaults in the payment of accommodation charges for four successive weeks or more.</p> <p>(j) Approve and sign Notices of Seeking Possession on the grounds of a breach of tenancy conditions for not allowing the Council access to undertake required repairs and maintenance;</p> <p>(k) Initiate proceedings in the County Court for possession or to provide access for the purpose of undertaking the statutory annual Gas Safety Inspection in accordance with the relevant legislation; and</p> <p>(l) Seek and execute warrants of execution for possession authorised by the Court.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXP6	Deleted December 2018		
EXP7	Cabinet (Minute 109 – 18.12.06)	SERVICE DIRECTOR COMMUNITY AND PARTNERSHIPS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	PRIVATE SECTOR HOUSING – ASSISTANCE (including Decent Homes Repayable Assistance, Small Works Repayable Assistance, Thermal Comfort Grants, Conversion Grants, Empty Homes Repayable Assistance and Disabled Facilities Grants) To exercise the powers and duties under relevant legislation. (See also ‘Private Sector Housing – General’)
EXP8	Cabinet (Minute 184 – 10.4.06)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	PRIVATE SECTOR HOUSING – GENERAL To exercise the powers and duties set out in Annex A including powers of entry by warrant where this is not specified in the legislation listed. To authorise updates to the list of legislation set out in Annex A (see also ‘Private Sector Housing’)
EXR2	Housing Portfolio Holder Decision HSG-027-2015/16 Dated 11 February 2016	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	RENEWAL OF LEASES WITH NACRO To renew leases (and any subsequent leases) on expiry for a further 5 years on the 12 properties currently leased to NACRO provided there is a continuing need to accommodate vulnerable younger homeless applicants.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXR3	Housing Management Sub-Committee (Minute 152(c)(2) – 11.3.80)	SERVICE DIRECTOR (HOUSING & PROPERTY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM; SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	RENT ARREARS - DECEASED TENANTS To write off rent arrears in respect of deceased tenants, where there is no means of recovering the debt.
EXR4	Cabinet Minute 46 – 12.9.11	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	RESTRICTIVE COVENANTS – HOUSING IN MULTIPLE OCCUPATION To agree requests to vary restrictive covenants on former Council houses, in order to grant permission for their use as privately-rented shared accommodation, provided all of the conditions set out in Cabinet Minute 46 – 12.9.11 have been met.
EXR5	Housing Portfolio Holder Decision HSG-001-2018/19	ANY LEVEL 4 MANAGER AND SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	AUTHORITY FOR RIGHT TO BUY (RTB) SALES AND POST-COMPLETION RELATED MATTERS To sell the freehold or leases of properties in accordance with then current legislation. Example as of the terms of sale that are prescribed by legislation are: <ul style="list-style-type: none"> • The discount level applicable at the time of sale of a property, • which tenants fulfil the criteria for purchasing their properties (freehold or leasehold) • the method of valuation of a property. To re-mortgage the property without repaying the discount. If the reason the loan is requested for is one specified by statute the Council has no discretion but to

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>consent. There may also be additional borrowing involved (which the Council would agree to postpone its charge for in accordance with statute).</p> <p>Re-mortgages where the Service Director (Housing and Property Services) agrees, if the Council wishes to exercise its discretion and agree to postpone its charge in respect of additional borrowing, which is not to be used for one of the statutory 'approved purposes'.</p> <p>If the owner of a RTB property intends to sell within 10 years, the Council must first be offered the right to buy it back. The Council would either proceed to buy the property back (the purchase being in accordance with statute) or issue a consent to the Land Registry allowing the property to be sold on the open market.</p> <p>To the release of a restriction/charge on the title to a property if the owner repays the discount or the relevant time period has lapsed. (i.e. for matters relating to repayment of discount, discharge of legal charge, redemption of mortgage(s) etc.)</p> <p>For leaseholders, to extend the term of a lease for an additional ninety years from the end of the current lease term. The provisions of the new lease and method of valuation are specified by statute.</p> <p>For leaseholders, to purchase the freehold of a block of flats and the estate if sufficient numbers of tenants apply to the Council. Again, the process to be followed is set out in legislation.</p> <p>For subsequent purchasers of freehold properties to enter onto a Deed of Covenant to ensure that they are bound by the positive covenants mentioned in the Transfer (which do not run with the land).</p> <p>To enter into Deeds of Rectification/Variation to enable us to rectify errors relating to title, plans etc.</p> <p>To give delegated authority to the Service Director (Housing and Property Services) to determine requests for the release of covenants restricting development within the curtilages of properties previously sold under the Right to Buy, and whether or not the release should be agreed, having regard to what would be the reasonable</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>viewpoint of both parties, noting that the Council is not entitled to any payment for the release of the covenant (other than payment of the Council's reasonable legal costs), in accordance with current case law.</p> <p>(The Housing Act 1985 and various other acts and subsequent legislation (i.e. statutory instruments) govern the Right to Buy sales and other related matters; the list mentioned above is not exhaustive. Any future legislation will also impact the way such matters are dealt with.)</p> <p>To sign documentation/letters that require execution by way of signature, such as, pre-emption rights consent, exempted disposal consent, postponement letters and similar consents.</p>
EXS1	<p>Cabinet (Minute 184 – 10.4.06)</p> <p>Leader decision 2/11 (May 2011)</p> <p>Portfolio Holder Decision ENV/004/2009-10</p> <p>Council (Minute – 20.4.10)</p>	<p>SERVICE DIRECTORS CONTRACTS AND TECHNICAL SERVICES OR COMMERCIAL AND REGULATORY SERVICESs (or suitably qualified officers authorised by the above-named)</p> <p>Appropriate Portfolio Holder</p>	<p>“SAFER, CLEANER, GREENER” LEGISLATION – AUTHORISATION OF OFFICERS</p> <p>To exercise those functions relating to the management and provision of the Environmental Health Service set out in the list of environmental health legislation in Annex B including, where necessary, powers of entry by warrant.</p> <p>To delegate appropriate powers to Officers relating to the management and provision of the Environmental Health Service set out in the attached list of environmental health legislation as set out in Annex B.</p> <p>To approve updates to the list of environmental legislation set out in Annex B.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXS2	Council (Minute 24(2) – 30.6.81)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (after considering the views of the Portfolio Holder)	SALE OF COUNCIL HOUSES - DISCOUNTS To determine, under Part V of the Housing Act 1985, applications for discounting of entitlement periods where a potential purchaser lives with their parents.
EXS3	Council (Minute 40(4) – 15.7.86) Housing Committee Minute 117(5) & (6)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	SALE OF COUNCIL HOUSES - RESTRICTIVE COVENANTS, MINOR EXTENSIONS AND ALTERATIONS To deal with applications for minor extensions or alterations in sold Council houses in accordance with the terms of the house sales agreement. To agree, in consultation with the Portfolio Holder, future requests for release of restrictive covenants to allow development within the curtilage of former Council properties, prior to planning permission being obtained. To negotiate terms for the release of covenants agreed by the Service Director (Housing and Property Services), subject to the outcome being reported to the Portfolio Holder for approval.
EXS4	Council (Minute 11(c) – 2.6.77)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	SALE OF COUNCIL HOUSES - VALUATIONS To carry out all valuations in respect of sale of Council houses.
EXS5	Policy and Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	SECURITIES To act as proper officer for the purposes of Section 146 (1)(a)(b) of the Local Government Act 1972 (declarations and certificates regarding securities).

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
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EXS6	Public Health Committee (Minute 73 – 21.9.83)	HPA (Any Consultant member of staff)	SHIPS To act as proper officer to the Council for the purposes of the Public Health (Ships) Regulations 1970.
EXS7	Housing Committee (Minute 121 – 8.11.77)	SERVICE MANAGER LEGAL SERVICES (in consultation with Service Director Housing and Property Services)	SQUATTERS - EVICTION To take such urgent action as is necessary to secure the vacation of any Council properties, which are occupied by squatters.
EXS8	Deleted July 2018		
EXS9	Personnel Sub-Committee (Minute 3 – 31.5.83)	ANY LEVEL 3 OR 4 MANAGER	STAFF - TRAVELLING ALLOWANCES To consider and adjudicate on any request to make an exception to policy for reimbursement of travelling expenses in pursuance of an officer's duties, being limited to second class rail fare.
EXS10	Deleted July 2018		
EXS11	Policy & Co-ordinating Committee (Minute 23 – 5.10.93)	ANY LEVEL 3 OR 4 MANAGER	SUBSCRIPTIONS - OUTSIDE ORGANISATIONS To pay subscriptions in respect of organisations on which the Council is represented at member level.
EXS12	Public Health Committee (Minute 46 – 19.9.84)	SERVICE MANAGER LEGAL SERVICES IN CONJUNCTION WITH THE RELEVANT SERVICE DIRECTOR	SUNDAY TRADING - CAR BOOT SALES To institute proceedings in respect of such sales where complaints have been received and satisfactory evidence is available.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXS13	Portfolio Holder decision reference H/026/2002-3	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	SUPPORTING PEOPLE – SIGNING OF CONTRACTS To sign the Supporting People “Block Subsidy” and “Block Grants” contracts with Essex County Council for 2003/03, and subsequent years, in order to receive funding from the Essex Supporting People Commissioning Body for the provision of support services.
EXT1	Council Minute 127 – 23.4.13	CHIEF FINANCIAL OFFICER	TAX BASE To declare the Council’s Domestic and NNDR Tax Bases in accordance with the Local Government Finance Act 1992 and the Local Authorities (Calculation of Tax Base) (England) Regulations 2012 and any subsequent legislation.
EXT2	Personnel Sub-Committee (Minute 37 – 14.2.74)	ANY LEVEL 3 OR 4 MANAGER OR LEVEL 2 MANAGER NOMINATED BY THEM	TEMPORARY STAFF To engage temporary staff and/or part time staff and subject to the overall estimated salaries bill for the service concerned not being exceeded in any one year.
EXT3	Housing Services Committee (Minute 6(a)(iii) – 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	TENANCIES - COUNCIL HOUSES To allocate tenancies in accordance with the Housing Allocation Scheme.
EXT4	Portfolio Holder Decision (23.8.04)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	TENANCIES – DEMOTED TENANCY ORDERS Inter alia: (1) To serve demoted tenancy notices in appropriate cases; (2) To apply to the County Court for Tenancy Demotion Orders and subsequent Possession Orders in appropriate cases.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXT5	Housing Management Sub-Committee (Minute 33(c)(2) – 15.5.74)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	TENANCIES - SERVICE To accept any application for priority Council housing in cases where a tenant of service accommodation reaches retirement age after having occupied the accommodation for a minimum of 15 years.
EXU1	Housing Portfolio Holder Decision HSG/-33/2013-14	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	USE OF OPEN SPACES ON LAND HELD UNDER HOUSING ACT POWERS To agree or refuse (in consultation with Ward Members), events managed by Town and Parish Councils or other organisations on any land held under Housing Act powers; provided the Council enters into an Agreement with the organisation meeting the Council's required conditions.
EXW1	Housing Services Committee (Minute 6(d)(1) – 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	WARRANTS OF DISTRAINT To issue warrants of distraint in housing cases.
EXW2	Development Committee (Minute 60 – 6.1.93) Public Health Committee (Minute 52 – 17.11.92) Housing Committee (Minute 56 – 24.11.92) Development Committee (Minute 60 – 6.1.92)	SERVICE MANAGER LEGAL SERVICES IN CONSULTATION WITH THE RELEVANT SERVICE DIRECTOR	WARRANTS FOR ENTRY To make applications to the Magistrates Court for entry pursuant to the Environmental Protection Act 1990, Public Health Acts 1936-61, Control of Pollution Act 1974, Clean Air Acts 1956-68, Food Safety Act 1990, Building Act 1984, Housing Acts 1957-85 and Local Government and Housing Act 1989. To make applications to the Magistrates' Court for warrants of entry in accordance with the Building Act 1984 and the Town and Country Planning 1990.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXW3	Public Health Committee (Minute 144(a) – 9.3.77)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (after consideration of any views of the Portfolio Holder and local ward member(s))	WASTE DISPOSAL ON LAND To submit representations to Essex County Council on any proposed licence.

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

PRIVATE SECTOR HOUSING - SCHEDULE OF DELEGATION

Building Act 1984

Sections 59-62, 63, 64, 66, 67, 68, 70, 71, 76, 79, 84-85, 91-115.

Caravan Sites and Control of Development Act 1960

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

Caravan Sites Act 1968

Sections 3, 14.

Civil Evidence Act 1995

Section 9.

Clean Neighbourhoods and Environment Act 2005

Sections 102, 103.

Criminal Procedure and Investigations Act 1996

Section 26.

Environmental Protection Act 1990

Sections 79-82, Schedule 3.

Home Energy Conservation Act 1995

Sections 2, 5.

Home Safety Act 1961

Section 1.

Housing Act 1985

Sections 17, 54, 265-275, 289, 290-297, 300-306, 308, 309, 319, 320, 324-340, 435-443, 523, 535-537, 540-542, 544-546, 584A, 584B, 596, 597, 609, 611, 617.

Housing Grants, Construction and Regeneration Act 1996

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

Housing Act 2004

Sections 4, 5, 7, 8, 10, 11, 12, 16, 17, 20, 21, 25-29, 31-32, 40-43, 46, 47, 49, 50, 55-62, 64-67, 69, 70, 73, 74, 102-107, 110-113, 115, 116, 121, 122, 127, 129-131, 133, 136-140, 144, 210, 225, 232, 232-236, 239, 243, 255, 256.

Landlord and Tenant Act 1985

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

Local Government Act 1974

Section 36.

Local Government and Housing Act 1989

Sections 89-93, 95, 97, 169.

Local Government (Miscellaneous Provision) Act 1976

Section 13, 15, 16, 33, 35.

Local Government (Miscellaneous Provision) Act 1982

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

Planning and Compensation Act 1991

Sections 196A-C

Prevention of Damage by Pests Act 1949

Sections 4-7, 10, 22, 26.

Protection from Eviction Act 1977

Sections 6, 7.

Protection from Harassment Act 1997

Sections 1, 6, 7.

Public Health Act 1936

Sections 1, 45, 48-50, 83, 84-87, 264, 265, 268-270, 275, 276, 278, 284, 287, 290, 291, 293, 298.

Public Health Act 1961

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

Town and Country Planning Act 1990 (as amended)

Sections 215 – 219

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

LIST OF SAFER, CLEANER, GREENER LEGISLATION

Animal Boarding Establishments Act 1963

Sections 1, 2 and 4.

Animal Welfare Act 2006

All

Anti-Social Behaviour Act 2003

Sections 40 and 41

Anti-Social Behaviour, Crime and Policing Act 2014

Sections 43 to 68

Breeding and Sale of Dogs (Welfare) Act 1999

All

Breeding of Dogs Act 1973

All

Breeding of Dogs Act 1991

All

Building Act 1984

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

Burial Act 1857

Section 25

Caravans Sites and Control of Development Act 1960

All

Charities Act 2006

All

Chronically Sick and Disabled Persons Act 1970

Section 4

Cinemas Act 1985

All

Civil Contingencies Act 2004

All

Clean Air Act 1993

Sections 4, 6 to 12, 15, 16, 18, 19, 22(3), 24 to 26, 30, 31, 34, 35, 35(2), 35(4) 36, 38, 39, 45 to 48, 51, 55, 56, 57(5), 58, 60.

Clean Neighbourhoods and Environment Act 2005

All

Consumer Rights Act 2015

Schedule 5

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

All

Control of Dogs Order 1992

Sections 4 and 5

Control of Pollution Act 1974

Section 22

Section 23

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

Control of Pollution (Amendment) Act 1989

All

Crime and Disorder Act 1998

Section 1

Criminal Justice and Police Act 2001

Sections 13, 19, 20, 22 and 25

Sections 50, 52 to 55 and 60 to 62

Criminal Justice and Public Order Act 1994

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

Criminal Procedure and Investigations Act 1996

Section 26

Dairy Products (Hygiene) Regulations 1995 Regulations 6, 6(11), 7, 8, 16 and 19

Dangerous Dogs Act 1991

Section 5

Dangerous Wild Animals Act 1976

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

Egg Products (Regulations) 1993

Regulations 5, 5(5), 8 and 9

Environment Act 1995

Sections 82 to 84, 88 and 90

Sections 108 to 113

Paragraphs 2 and 6 of Schedule 18

Environment and Safety Information Act 1988

Sections 1 and 3

Environmental Permitting (England and Wales) Regulations 2010

All

Environmental Protection Act 1990

Parts I, II, III, IV, VIII.

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

All

Food Premises (Registration) Regulations 1991

All

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

All

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

All

Food Safety Act 1990

Sections 5 and 6

Sections 9 and 10

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

Section 12

Sections 18, 19, 23, 27 and 28

Section 29

Section 30

Section 31

Section 32

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

Game Act 1831

Section 18

Gambling Act 2005

All

Guard Dogs Act 1975

Section 3

Health Act 2004

Sections 1 to 12

Health and Safety at Work etc Act 1974

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

Home Safety Act 1961

Section 1

Licensing Act 2003

All

Local Government (Miscellaneous Provisions) Act 1976

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

Local Government (Miscellaneous Provisions) Act 1982

Sections 2, 27, 29, , 32

Meat and Meat Preparations (Hygiene) Regulations 1995

Regulations 4, 5 and 12

Meat Products (Hygiene) Regulations 1994

Regulations 4 to 6, 12 and 17

National Assistance Act 1948

Section 47

Noise Act 1996

All

Noise and Statutory Nuisance Act 1993

Section 10

Official Feed and Food Controls (England) Regulations 2009

All

Performing Animals (Regulation) Act 1925

Sections 1 to 4

Pet Animals Act 1951 (as amended)

All

Police and Criminal Evidence Act 1984

Section 67(9)

Pollution Prevention and Control Act 1999

Section 2

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

All

Poultry Meat (England) Regulations 2011

All

Prevention of Damage by Pests Act 1949

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

Private Water Supplies (England) Regulations 2016

All

Public Health (Control of Disease) Act 1984

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

Public Health Act 1925

Section 14

Sections 17 to 19

Section 56

Public Health Act 1936

Sections 1, 45, 48 to 50, 83, 84 to 87, 124, 140, 221, 222, 223, 227, 260, 261, 264, 265, 268 to 270,

275, 276, 278, 284, 287, 290, 291, 293 and 298

Public Health Act 1961

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

Refuse Disposal Amenity Act 1978

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

Riding Establishments Acts 1964 and 1970

All

Scrap Metal Dealers Act 2013

All

Slaughter of Poultry Act 1967

Sections 4 and 6

Sunbeds (Regulation) Act 2010

All

Sunday Trading Act 1994

Section 2(3)

Paragraphs 4(3) and 5 of Schedule 1

Paragraphs 1 and 2 of Schedule 2

Paragraphs 3, 7 and 8 of Schedule 3

Town and Country Planning Act 1990

Sections 215, 224 and 225

Town Police Clauses Act 1847 and 1889

Sections 21, 37 to 68

Water Industry Act 1991

Sections 77 to 85

Section 115

Section 200

Water Supply (Water Quality) Regulations 2016

All

Zoo Licensing Act 1981

All