

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

Release note: Dated December 2018, Amendments by Simon Hill to reflect decisions taken by Leader as a result of changes to Service Director Structure

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 Subcommittee from time to time under this scheme.
- (e) matters that are legally permissible and within that officers area of control (see table and key below):

Key:

Officer Levels: Level 4 – Chief Executive, Strategic Directors, Level 3 – Service Directors, Level 2 – Service Manager

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	COMMERCIAL TENANCIES - SERVICE OF NOTICES To sign notices and answers to originating 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 To make payments up to £250 in respect of upheld complaints at Stages 1 & 2
EXC6	Council		COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	(Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	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 MANAGER	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)	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 NOMINATED BY THEM	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 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	ENERGY MANAGEMENT & CONSERVATION To implement the Council's policy.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		BY THEM	
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 Wellbing 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.
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.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
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 Director of Communities 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 Director of Communities 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: (a) The amount allocated being no more than 15% of the level provisionally approved by the Cabinet Committee; (b) Sufficient funds being available at the time of allocation; and (c) The Cabinet Committee receiving a report to its next meeting on the amount of subsidy allocated, and its source of funding.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<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>
EXH6	Housing Committee (Minute 41(20) & (21) – 17.9.96)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION – TENANCIES FOR 'LIVE IN' CARERS</p> <p>To grant requests to provide or extend joint tenancies to 'live in' carers where such requests are considered to be justified.</p>
EXH7	Housing Committee (Minute 93(b) - 11.3.87)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED	<p>HOUSING DEFECTS - PLANNING APPLICATIONS FOR REINSTATEMENT WORKS</p> <p>To submit applications for deemed planning consent in connection with the reinstatement of all Council owned designated defective dwellings.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		BY THEM	
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.
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 Director of Communities 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	(HOUSING) MUTUAL EXCHANGES To approve applications under the Mutual Exchange Scheme.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		MANAGER NOMINATED BY THEM	
EX11	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).
EX12	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 TWO MANAGER NOMINATED BY THEM</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 two manager –</td> <td>upto £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>upto £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 two manager –	upto £25,000 per year	Service Director -	£25,001 to £100,000 per year	level two manager –	upto £50,000 per transaction	Service Director -	£50,001 to £500,000 per transaction
level two manager –	upto £25,000 per year										
Service Director -	£25,001 to £100,000 per year										
level two manager –	upto £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	SERVICE DIRECTOR BUSINESS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<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>								
EXN2	Council (Minute 138 –	SERVICE DIRECTOR	NORTH WEALD AIRFIELD - NON COMMERCIAL LETTINGS								

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	28.4.09) Portfolio Holder Decision L/001/2005/6 dated 20.5.05	COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	(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
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	OFF STREET CAR PARKING SCHEMES

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		PROPERTY SERVICES	"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 AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THE 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.
EXP3	Environment Portfolio Holder Decision ENV-004-2017/18	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES Or suitably qualified officers	Pollution Prevention - Idling vehicles Fixed Penalty Notices Authority under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to issue fixed penalty notices in respect of idling vehicles.
EXP4	Housing Committee (Minute 74 – 4.3.92)	SERVICE MANAGER LEGAL SERVICES IN CONSULTATION WITH A RELEVANT LEVEL 4 OR	POSSESSION ORDERS - MORTGAGE ARREARS To obtain and execute in the case of mortgage arrears where an Order for possession is granted by the Courts, a warrant for the possession of a property.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Housing Management Sub Committee (Minute 161 – 15.2.77) Portfolio Holder Decision (24.3.2004)		House) including the eviction of any homeless person who defaults in the payment of accommodation charges for four successive weeks or more. (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; (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 (l) Seek and execute warrants of execution for possession authorised by the Court.
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

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			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 NOMINTADE 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.
EXR3	Housing Management Sub-Committee (Minute 152(c)(2) – 11.3.80)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINTADE 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 PROPRTY 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,

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<ul style="list-style-type: none"> • which tenants fulfil the criteria for purchasing their properties (freehold or leasehold) • the method of valuation of a property. <p>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 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 Director of Communities 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>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>To give delegated authority to the Director of Communities 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 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>
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>
EXS2	<p>Council (Minute 24(2) – 30.6.81)</p>	<p>SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES SERVICES OR A LEVEL 2 MANAGER</p>	<p>SALE OF COUNCIL HOUSES - DISCOUNTS</p> <p>To determine, under Part V of the Housing Act 1985, applications for discounting of entitlement periods where a potential purchaser lives with their parents.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		NOMINATED BY THEM (after considering the views of the Portfolio Holder)	
EXS3	Council (Minute 40(4) – 15.7.86) Housing Committee Minute 117(5) & (6)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES 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 Director of Communities, 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 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).
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.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
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.
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.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
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 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 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.
EXT5	Housing Management Sub-Committee (Minute 33(c)(2) – 15.5.74)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES 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.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXU1	Housing Portfolio Holder Decision HSG/-33/2013-14	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES 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 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.
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

ANNEX B

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

SH July 2018 – Agreed With S Stranders