

INDEX TO DELEGATION SCHEME

	Page
General Delegation	37
The Role of the Full Council	37
Policy Committees: <i>Overall Role</i>	37
<i>Delegation to all Policy Committees</i>	37
Resources Committee	38
Local Joint Committee	42
Health and Housing Committee	42
Community and Leisure Committee	46
Museum Management Joint Working Party	47
Community Achievement Award Panel	47
District Grants Advisory Panel	47
Bridge End Gardens Working Party	48
Leisure (PFI) Board	48
Environment and Transport Committee	48
Development Control and Licensing Committee	51
Scrutiny Committees	56
Staff Appeals Committee	56
Emergency Committee	56
Standards Committee	57

GENERAL DELEGATION TO ALL COMMITTEES AND CHIEF OFFICERS AND TASK GROUPS

(a) Committees and Task Groups

- (i) Acceptance of a tender for any proposal already approved by the Council, provided it is capable of accommodation within the Committee's budget and does not require a supplementary estimate.
- (ii) The opening of tenders by the Chairman and Vice-Chairman of the appropriate Committee in the presence of the Chief Executive and/or the Director concerned, or *an officer nominated by them*.
- (iii) Appointment of member delegates to conferences *and seminars* within the purview of the Committee.

(b) Chief Officers – General

For the purposes of this scheme, Chief Officers are the Chief Executive, the Director of Community Services, the Director of Resources and the Assistant Chief Executive

In consultation with the Chairman of the appropriate Committee, authority to take any action, which would normally require Committee approval, but which requires an urgent decision, subject to that action being within budget and in line with Council policy. *Such a decision is to be reported to the next meeting of the appropriate committee, together with a full explanation of the reasons for the decision.*

(c) Chief Officers - Supplies

All Chief Officers are authorised to purchase *goods, materials and services* and to give orders for work to be performed in so far as there is provision for such expenditure within the Committee's budget, and the Council's Procedure Rules (including contracts) and Financial Regulations are not contravened.

THE ROLE OF THE FULL COUNCIL

The role of the Council is to

- 1 Approve the Constitution (including Political Management Structure, Standing Orders, Contract Standing Orders, Delegation Schemes, Financial Regulations, Code of Conduct, Protocols (Member/Officer, etc))
- 2 Appoint the Chairman
- 3 Appoint the Vice-Chairman
- 4 Appoint the Leader and Deputy Leader

- 5 Appoint Committees
- 6 Review annually task groups and working parties to assess the need for them.
- 7 Agree its strategic objectives, *the budget strategy, and the policy framework.*
- 8 Agree the following individual strategies/policy documents
 - Best Value Performance Plan
 - Community Strategy
 - Local Plan
 - Housing Strategy
 - LA21 Strategy
 - Leisure and Cultural Strategy
 - Partnership Strategies (e.g. Crime and Disorder Reduction and Health Authority Strategies)
- 9 Approve the following budgets:
 - Council Tax
 - Capital and Revenue Expenditure
 - Housing Revenue Account Estimates
 - Members' Allowance Scheme
- 10 Ratify the appointment of Chief Officers subject to any statutory provision.
- 11 Resolve differences between Policy and Scrutiny Committees
- 12 *Review and* make appointments of Members to external organizations
- 13 Deal with other matters not within the terms of reference of any other committee. Also, any matter may be referred to the Council if that is the wish of the majority of Members of the relevant committee.

**POLICY COMMITTEES: OVERALL ROLE
(excluding Development Control and Licensing)**

1. Formulate and review policies within scope to meet the Council's objectives.
2. Control and review use and allocation of *assets and* resources, within approved budgets.
3. ***Be responsible for and*** review the services within scope, including the introduction of new services and the standard or level of existing services.
4. Promote community partnerships.
5. Respond to relevant documents and initiatives from other organisations.
6. Review and make recommendations on the delegation scheme, procedure rules, (including contracts) and financial regulations.
7. Undertake statutory and other functions within scope.
8. Establish task groups and working parties as necessary for specific purposes.

Environment & Transport Committee:

Determine referred planning applications

Development Control & Licensing:

Determine applications consistent with the Council's policies *in relation to development control and in accordance with agreed criteria in relation to licensing.*

DELEGATION TO ALL POLICY COMMITTEES

- 1 *In respect of urgent matters within scope which arise and which need, but cannot await a decision by the Council, action on the Council's behalf, subject to the matters being reported to the next following meeting of the Council, with the reasons why the action needed to be taken.*
- 2 *Responsibility for the services within the purview of the Committee according to the Council's policy framework and within the budget allocated.*
- 3 *Determination of the staff structure required for the functions within the scope of the Committee to be carried out effectively.*
- 4 *Determination of fees and charges for licences and services within the scope of the committee where these are not prescribed and subject to the Council's budgetary framework.*

RESOURCES COMMITTEE

A Terms of Reference

- 1 *Coordination of the preparation of the policy framework and the Best Value Performance Plan, on the basis of recommendations from the policy committees, for proposal to the Council.*
- 2 *Preparation and issue of guidance on the general content and form of the budget.*
- 3 *Determination of the overall numbers of staff, in consultation with the policy committees, and of the remuneration and conditions of service of all the Council's staff.*
- 4 *Monitoring the use of the Council's assets and resources, the financial health of the council and expenditure against budget allocations, including the total level of expenditure of the Council, and reporting to the Council as necessary.*

B Terms of Delegation to Committee

- 1 The provision of a co-ordinated information service to the public, press and all members of the Council on the activities of the Council.

- 2 The responsibility for and the exercise of powers in respect of:-
- (i) the management and maintenance of civic/municipal buildings;
 - (ii) committee administration;
 - (iii) the collection of Council Tax, Community Charge and Non-Domestic Rates;
 - (iv) information technology services;
 - (v) clerical, mail, printing, word processing, purchasing, reception and telephone services;
 - (vi) the contractor role in respect of those services which *are carried out pursuant to contract* the Council decides to subject to tender, or are supplied to other organisations in accordance with Council policy and are carried out by the Council's Direct Services Organisation, irrespective of whether or not they have been subjected to competitive tender.
 - (vii) Overall *responsibility* for the services and contracts within the purview of the *Committee, including the preparation* and submission of tenders.
 - (viii) elections and electoral registration, reviews of wards and polling districts and places and of county, district and parish administrative boundaries;
 - (ix) *financial and* exchequer services;
 - (x) *risk management*, including insurance, payroll, car schemes and the administration of Members' allowances;
 - (xi) internal audits of the Council's services and Value For Money studies;
 - (xii) legal services;
 - (xiii) local land charges;
 - (xiv) Members' support services, including training, information and facilities;
 - (xv) personnel services and industrial relations;
 - (xv) property valuation and management.
 - (xvi) communications, including public relations;
 - (xvii) administration of the Council Tax and Housing Benefits schemes;

3 *Preparation of a procurement strategy for the Council*

- 4 The remuneration, conditions of service, *including benefits and allowances*, training and welfare of the Council's employees.
- 5 The appointment of Chief *Officers* (subject to ratification by the Council) and *Deputy Chief Officers (as defined in the Local Government and Housing Act 1989) Officers*.
- 6 The review and up-date of the Council's Job Evaluation Scheme.
- 7 The determination of the level of relocation expenses.
- 8 The determination of all policy matters relating to the Council's car leasing scheme and travel allowances.
- 9 *The write-off of debts to the Council in accordance with Financial Regulations.*
- 10 The provision and management of public conveniences.

C Delegation to Chief Officers

Subject to policies, criteria and guidelines determined by Members where appropriate, and in respect of matters within the purview of the Committee, the Chief Officers, and Officers nominated by them, will exercise the following powers and duties in accordance with the Council's Procedure Rules (including Contracts) and Financial Regulations:-

- 1 The production of the Council's Annual Report and Financial Statement, including DSO accounts and rate of return statements.
- 2 *Treasury Management, including banking arrangements and investments.*
- 3 The day-to-day management of the services within the purview of the Committee and within the approved budgets.
- 4 Where immediate action is required authorise *appropriate* legal proceedings in consultation with the Chairman of the Committee if practicable.
- 5 In consultation with the Chairman of the Committee, the addition and removal of contractors from the approved list.
- 6 The approval of pensionable health retirement in consultation with Leader of the Council and Chairman of the committee.
- 7 The day-to-day management of all employees within their directorates *and service units*.
- 8 All matters concerning the employment, discipline and dismissal of all staff under their control *below the level of Deputy Chief Officer as defined in the Local Government and Housing Act 1989*, in consultation with the Head of Personnel and Office Services and subject to any right of appeal, any statutory provision *and any matter reserved to elected Members*.

- 9 The implementation of all national, provincial and local agreements and amendments to conditions of service.
- 10 In consultation with the Head of Personnel and Office Services, the approval and implementation of training programmes; approval of attendance *by employees* at courses and seminars within the budget.
- 11 In relation to the Direct Services Organisation,
 - (a) Day-to-day management of *its* contracts and services, including *the* preparation and submission of tenders.

LOCAL JOINT COMMITTEE

Terms of reference being revised.

HEALTH AND HOUSING COMMITTEE

A Terms of Reference

- 1 The statutory functions of the Council as housing authority.
- 2 The promotion of the provision of adequate housing for all the residents of the Council's District
- 3 Working with others to improve all aspects of the overall health of the community.
- 5 The Council's *statutory* functions in the field of environmental health.
- 6 The functions of the Council in the control of activities having significance for public health, hygiene and welfare in accordance with the Council's policy and within the approved budget.

B Terms of delegation to Committee

- 1 The provision, allocation and management of the Council's housing accommodation.
- 2 The administration of Council house sales and the provision of mortgage facilities in accordance with statutory requirements.
- 3 The administration of the Council's statutory and other duties in respect of housing the homeless and dealing with landlord harassment.
- 4 The maintenance, repair and improvement of the Council's housing accommodation, and approval of the select list of Tenderers.

- 5 The preparation of the annual Housing Strategy Statement.
- 6 The preparation, implementation and monitoring of:-
 - (a) Housing Programmes
 - (b) the annual Environmental Health work programme
- 7 The determination of the role to be undertaken by Housing Associations and participation in private enterprise schemes and the provision of appropriate assistance.
- 8 Acquisition and/or disposal of land and/or property for housing purposes and the design and erection of new dwellings, subject to a maximum value of £25,000.
- 9 The provision of a welfare service for applicants for and tenants of housing accommodation, including:
 - (a) liaison with Social Services;
 - (b) operation of a warden service; and
 - (c) encouragement of the use of Lifeline.
- 10 Liaison with the Housing Corporation, Housing Associations, the private sector and local councils, agencies and societies to assess housing needs and to provide new homes and rehabilitate substandard, derelict and unused properties.
- 12 Animal welfare and the control of stray dogs and dog fouling.
- 13 Caravan and gypsy sites management, maintenance and liaison.
- 14 The Council's cemetery and the burial of persons where no (proper) arrangements have been made.
- 15 Food safety and control, including food storage, handling, preparation, transport and exposure for sale.
- 16 Health and Safety At Work standards in all premises subject to Local Authority control.
- 17 Health, safety and welfare of the Council's employees and other persons affected by its activities.
- 18 Liaison with the appropriate Health Authorities.
- 19 The promotion of health education and home safety.
- 20 The control and prevention of infectious and notifiable diseases and food poisoning.

- 21 The control and eradication of rodents, insects and other pests with public health significance or nuisance potential.
- 22 The prevention or remedy of statutory nuisance or other pollution matters of concern.
- 23 The maintenance of a Port Health Unit at Stansted Airport.
- 24 The administration of Grant schemes for the improvement, adaptation or conversion of private sector housing and the disuse or demolition of unfit premises.
- 25 The carrying out of the Council's functions under the Shops Act 1950 and any amending or subordinate legislation.

C Delegation to Chief Officers

Subject to criteria determined by Members where appropriate, and in respect of matters within the purview of the Committee, the Chief Officers, and officers nominated by them, will exercise the following powers and duties in accordance with the Council's procedure rules (including contracts) and Financial Regulations:-

- 1 Day-to-day management of the services within the purview of the Committee, and within the approved budgets.
- 2 The determination of applications for transfer of tenants to share and exchange of tenancies within the District; issue of consents arising from tenancies and licences.
- 3 The allocation of housing accommodation and the nomination of applicants to Housing Associations after informing appropriate Members.
- 4 The issue of statutory notices and certificates.
- 5 The institution of legal proceedings for breaches of tenancies, licences or statutory provisions.
- 6 Contract monitoring, quality control and client management of housing repairs, maintenance, external decorations and refurbishment.
- 7 The authorisation of alterations and adaptations to houses occupied by disabled persons, subject to a limit of £5,000.
- 8 The *determination* of resettlement grants, tenants' compensation allowances and redecoration allowances.
- 9 *The determination of renovation, disabled facilities and other Housing Act grants.*
- 10 *The authorisation of suitably qualified Officers to act on behalf of the Council in exercising powers and duties to investigate complaints and authorise legal*

proceedings in respect of environmental protection, public health, health and safety at work, food safety, animal welfare and port health matters.

- 11 *The appointment of suitably qualified veterinary and medical personnel to act on behalf of the council in respect of infectious disease, public health and imported food matters.*
- 12 The negotiation and agreement of terms for the acquisition and disposal of land and property for leases, licences, easements, wayleaves, assignments, sublettings, and variations in accordance with Financial Regulations.
- 13 Negotiate and agree terms for release of covenants arising out of disposal of land.
- 14 Write off of former tenants' arrears in accordance with the Financial Regulations.
- 15 Authority to seek permission for development or to carry out development pursuant to Regulations 3 & 4 of the Town and Country Planning General Regulations 1992 as appropriate.
- 16 Declaration and implementation of rates of interest, etc.
- 17 Authority to vary the rate of interest charged on existing mortgages as governed from time to time by changes in the standard national rate, subject to the overriding requirements of the Housing Act 1985.
- 18 Declaration of applicable local average interest rate, half-yearly, and implementation of changes in the rate of interest chargeable to borrowers, in accordance with the Housing Act 1985. (Director of Resources).
- 19 Implementation of changes in the rate of interest chargeable to borrowers under the Housing Act 1985. (Director of Resources).
- 20 Authority to sign documentation and claims for recovery of tax deductions on mortgage interest under the terms of the Finance Act 1982 (The Director of Resources).
- 21 The determination of first stage representations from claimants under the unified housing benefits scheme and to confirm or amend the rebate/allowance accordingly (Director of Resources).
- 22 The operation of the Right to Repair Scheme.
- 23 The operation of the Tenants Improvement Scheme.
- 24 The naming and/or numbering of new streets and new or altered buildings.

COMMUNITY AND LEISURE COMMITTEE

A *Terms of Reference*

The provision and encouragement of *leisure*, cultural and welfare facilities; *the promotion of community safety*; and the development of the community generally, in accordance with Council policy and within the approved budget.

B *Terms of delegation to Committee*

- 1 The preparation and implementation of the Council's Leisure and Cultural Strategy *for Uttlesford*.
- 2 The preparation and implementation of the appropriate grants policy, including making annual grants within the approved budget.
- 3 *The determination of the criteria for the Voluntary Organisation (annual and 3 year), Community Project and Ad Hoc grant Schemes.*
- 4 *The determination of the allocation of Voluntary Organisation Grants.*
- 5 The provision, maintenance and funding of day centres for the elderly and handicapped.
- 6 The provision, maintenance and arrangement for the *appropriate* management of *Fitness, Leisure and Sports Centres*.
- 7 The promotion of tourism and the provision and maintenance of a local and visitor information service *through Tourist Information Centre(s) and Community Information Centres*.
- 8 The provision, *pursuant to a contract with Essex County Council*, of a meals-on-wheels service.
- 9 The preparation and implementation of the Museum Strategy, and the maintenance and management of the buildings and collections of the Saffron Walden Museum, and considering and, where appropriate, acting on the reports of the Museum Management Joint Working Party.
- 10 Community Development
- 11 *The preparation and implementation of a Community Safety Strategy, including Emergency Planning.*
- 12 Drugs Prevention
- 13 *Sports Development*
- 14 *Arts development*
- 15 Youth Initiatives

- 16 Disability issues *appropriate to the facilities and activities within the purview of the Committee.*

C Delegation to Chief Officers

Subject to criteria determined by Members where appropriate, and in respect of matters within the purview of the Committee, the Chief Officers, and officers nominated by them, will exercise the following powers and duties in accordance with the Council's procedure rules (including contracts) and Financial Regulations:-

- 1 Day-to-day management of the services within the purview of the Committee, and within the approved budget.
- 2 The hiring of land and premises within the purview of the Committee.
- 3 The institution of legal proceedings for breaches of statutory provisions.
- 4 Contract monitoring, quality control and client management of *fitness* and leisure and sports centres.
- 5 *In consultation with the Chairman of the Committee, the confirmation of the award of Ad Hoc and Community Project Grants.*

MUSEUM MANAGEMENT JOINT WORKING PARTY

Chairman and Vice-Chairman of the Community and Leisure Committee and two members together with four members appointed by the Saffron Walden Museum Society.

Terms of Reference

The Working Party meets *a minimum of three times a year, usually* in February, June and October to discuss matters relating to the management of the Museum of concern to either or both the Council and the Museum Society.

COMMUNITY ACHIEVEMENT AWARD PANEL

Terms of Reference

To consider criteria for *the determination of* applications and to make recommendations to the Community and Leisure Committee on *both criteria and who should receive awards.*

DISTRICT GRANTS ADVISORY PANEL

Terms of Reference

- 1 *To recommend to the Community and Leisure Committee the criteria for considering applications for the Voluntary Organisation Support Grant Scheme, (VOSGS), the Community Projects Grant Scheme (CPGS) and the Ad Hoc Grant Scheme.*

- 2 *To recommend to the Community and Leisure Committee the awards for the VOSGS.*

BRIDGE END GARDENS WORKING PARTY

Terms of Reference

To determine restoration priorities and to seek to raise the appropriate level of funding for the restoration of Bridge End Gardens and recommend *funding and priorities* to the *Community and Leisure Committee*.

LEISURE (PFI) BOARD

A Terms of Reference

Through the PFI process to provide leisure centre facilities in Saffron Walden, Great Dunmow and Stansted Mountfitchet.

B Terms of Delegation to Board

- 1 Agree, on the basis of the Outline Business Case submitted to DETR in September 1998 and in accordance with DETR and HM Treasury and Council guidelines, information, specifications, contractual terms, criteria and other requirements arising from the project timetable,
- 2 Authorise expenditure within budget provision and Council Financial Regulations and Procedure Rules (including contracts) in furtherance of the Outline Business Case,
- 3 Receive and action reports from the Senior Officer Leisure Board,
- 4 Report, as appropriate, to Full Council,
- 5 Provide a coordinated information service on the progress of the project.
- 6 Receive and monitor as appropriate relevant financial reports.
- 7 Meet as necessary with consultants and advisors in furtherance of the project.

ENVIRONMENT AND TRANSPORT COMMITTEE

A Terms of Reference

- 1 The statutory and other functions, as appropriate, conferred on the Council as District Planning Authority insofar as they relate to strategic and policy issues.

- 2 All matters relating to transport, including Stansted Airport, and highways (except the diversion, extinguishment and creation of public rights of way) within the District.
- 3 The conservation and improvement of the built environment and countryside in the District.
- 4 The functions of the Council with respect to the Building Regulations and *allied* legislation.
- 5 Recycling

B Terms of Delegation to Committee

- 1 The maintenance, management and development of open spaces, ornamental gardens, play and recreational areas (and statutory *and non-statutory* allotments).
- 2 The preparation and implementation of the Council's recycling plans and policies.
- 3 *The provision of refuse collection, street cleansing and cesspool emptying services.*
- 4 The provision and maintenance of off-street vehicle parking facilities, including the making of the appropriate orders, and the administration of on-street parking ie residents parking schemes.
- 5 The provision of or assistance in the provision of travel initiatives to help the elderly and handicapped who have real transport needs.
- 6 Contract monitoring , quality control and client management in relation to *refuse collection, street cleansing, cesspool emptying and grounds maintenance services.*
- 7 The approval and monitoring of the locally determined highways programme.
- 8 Comment on *Essex County Council's* highways maintenance plan.
- 9 The making of traffic regulation orders and the exercise of such other relevant order making powers as the Essex County Council may delegate to the Council within the prescribed budget.
- 10 The delivery of the Road Safety service in accordance with the policy/guidance laid down by the Essex County Council.
- 11 Road Safety matters *requested by* the Road Safety Advisory Committees.
- 11 The provision, maintenance, management and development of the Council's housing amenity areas and amenities, including:
 - (a) open spaces and recreational areas;

- (b) parking areas and garages;
 - (c) unadopted roads, verges, footways and street lighting.
- 12 Environmental monitoring (including the monitoring of water supplies).
 - 13 *The Council's statutory responsibilities for land drainage and sewerage*
 - 14 The provision of advice and financial assistance, as appropriate, to help maintain and enhance the District's environment and encourage appropriate economic development.
 - 15 To review periodically and, if necessary, amend the Council's policy on the exercise of its functions with respect to the Building Regulations and allied legislation, and to discharge those functions.
 - 17 *The administration of grants within the scope of the Committee*

C Delegation to Chief Officers

Subject to criteria determined by Members where appropriate, and in respect of matters within the purview of the Committee, the Chief Officers, and officers nominated by them, will exercise the following powers and duties in accordance with the Council's procedure rules (including contracts) and Financial Regulations:-

- 1 Day-to-day management of the services within the purview of the Committee, and within the approved budget.
- 2 The issue of statutory notices and certificates.
- 3 The institution of legal proceedings in respect of contraventions of the *statutory provisions and orders*.
- 4 Institution of legal proceedings for breaches of licences or statutory provisions.
- 6 Contract monitoring, quality control and client management of the following services:-
 - (i) refuse collection;
 - (ii) street cleansing and litter control;
 - (iii) vehicle maintenance.
 - (iv) *cesspool emptying*
 - (v) *grounds maintenance*
- 7 Functions associated with the preparation and monitoring of the locally determined highways programme.
- 8 The issue of such statutory notices as may be required in connection with the exercise of the functions delegated to the Council by the Highways Authority.
- 9 The preparation and submission of the bid for the annual Road Safety contract.

- 10 Applications for grant aid - annual reports on the grants made to be submitted to the Environment and Transport Committee.

DEVELOPMENT CONTROL AND LICENSING COMMITTEE

A Terms of Reference

- 1 The Council's regulatory functions under the Town and Country Planning Act 1990, the Highways Act 1980 and related legislation.
- 2 The functions of the Council in the control of services, *persons, vehicles* and premises requiring to be licensed or registered.

B Terms of Delegation to Committee

- 1 The determination of planning applications, enforcement matters and other relevant matters except substantial departures from policy which the Committee is minded to approve.
- 2 All matters relating to the diversion, extinguishment and creation of public rights of way under the Town and Country Planning Act 1990 and the Highways Act 1980.
- 3 The grant of deemed planning consent for District Council proposals under the provisions of the Town and Country Planning General Regulations 1992, subject to any proposal in respect of which the Committee is minded not to pass the necessary resolution to grant deemed consent being referred to the Environment and Transport Committee for consideration and determination.
- 4 To decide on all other issues concerned with regulating the development and use of land as part of the town and country planning system.
- 5 The *making of* Tree Preservation Orders.
- 6 To deal with consultations on traffic management and related matters, and goods vehicle operators licences.
- 7 To be responsible for and exercise powers in respect of the licensing and registration of the following matters:-
 - a Acupuncture, tattooing, ear-piercing and electrolysis.
 - b Animal boarding establishments, dangerous wild animals, dog breeding, performing animals, pet shops, riding establishments and zoos.
 - c Caravan sites.
 - d Entertainment, including cinemas, private places of entertainment, public entertainments, indoor sporting events, and plays.

- e Food premises, food hawkers, street traders and late night refreshment houses.
- f Slaughterhouses, knackers yards and cutting premises, game and game dealers.
- g Houses in multiple occupation.
- h Milk distributors, dairies and dairymen.
- i Sex establishments.
- j The Licensing Act 1964 and any amendments thereto.
- k Hackney carriage and private hire drivers, vehicles and operators and all ancillary matters.
- l To have Liaison Meetings with the Uttlesford Taxi Drivers' Association and other appropriate associations and act thereon.

C Delegation to Chief Officers

Subject to criteria determined by Members where appropriate, and in respect of matters within the purview of the Committee, the Chief Officers, and officers nominated by them, will exercise the following powers and duties in accordance with the Council's procedure rules (including contracts) and Financial Regulations:-

Development Control:

- 1 Decide whether:-
 - (a) applications are "county matters"
 - (b) planning permission is required for development, including Section 64 applications
 - (c) environmental impact assessment is required
 - (d) Listed Building Consent is necessary
 - (e) *express consent to display advertisements is required.*
- 2 Make comments on:-
 - (a) minor proposals submitted by government departments, Essex County Council and statutory undertakers
 - (b) minor proposals submitted for consultation by an adjoining planning authority
 - (c) consultations from the Forestry Commission
 - (d) consultations from Diocese of Chelmsford on proposals under the Pastoral Measures Act 1983
- 3 *Determine whether prior approval is required for agricultural or telecommunications development.*

- 4 Direct that an outline planning application shall not be considered without the submission of further details, pursuant to Article 7(2) of the Town and Country Planning (General Development *Procedure*) Order 1995.
- 5 Determine applications for:-
 - (a) minor developments (eg householder, changes of use,)
 - (b) conversion of an existing dwelling into 2 units
 - (c) minor alterations to previously approved plans and conditions
 - (d) vehicular and pedestrian access
 - (e) changes of use from A1 (shop) to A2 (financial and professional services) and of floors above shops in town centres from residential or vacant to A2 or B1 (offices)
 - (f) agricultural developments not involving the accommodation of livestock operations under intensive conditions
 - (g) removal of agricultural occupancy conditions where supported by ADAS and previously advertised for 6 months
 - (h) temporary caravan or mobile home for agricultural occupation
 - (i) overhead power lines
 - (j) advertisements
 - (k) renewal of permissions where the circumstances are the same, or very similar, to those pertaining at the previous grant of permission.
- 6 Approve matters reserved by conditions, e.g. materials, landscaping schemes, etc (excepting details of new dwellings or other major buildings).
- 7 Make orders for the diversion, extinguishment and creation of public rights of way where there are no unresolved objections.
- 8 Issue revised decision notices for applications previously determined.
- 9 Determine:-
 - (a) applications and notifications to lop and top trees subject to a Tree Preservation Order or within a Conservation Area
 - (b) local requirements for tree planting - a report on any scheme agreed with any Parish Council or other local organisations to be submitted to the Environment and Transport Committee.
 - (c) Hedgerow removal notices.
- 10 Deal with dangerous trees under the Local Government (Miscellaneous Provisions) Act 1976 and to recharge the costs to owners.
- 11
 - (a) Determine applications and issue notices under the Building Act 1984, the Building Regulations *as amended*, and allied matters under the Public Health Acts, Clean Air Act 1956 and the Essex Act 1987, and any other relevant legislation.
 - (b) Deal with the operation of the Building (*Local Authority Charges*) Regulations 1998 and any amendments thereto, *along with the Council's scheme for the recovery of charges for Building Regulations purposes.*

- 12 Deal with the operation of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations.
- 13 (a) Issue:-
- (i) Requisitions for Information
 - (ii) Planning Contravention Notices
 - (iii) Notices of Entry, and
 - (iv) Building Preservation Notices
 - (v) *Breach of Condition Notices*
- and take any necessary action arising therefrom
- (b) Take enforcement action to secure compliance with conditions of all permissions approved by the Development Control and Licensing Committee
 - (c) Specify time limits for compliance with an Enforcement Notice.
 - (d) Issue an Enforcement Notice in case of urgency, in consultation with the Chairman or Vice-Chairman of the Committee.
 - (e) In consultation with the Chairman or Vice Chairman of the Committee, issue any Stop Notices.
- 14 Institute legal proceedings for:-
- (a) failure to comply with any of the statutory notices *covered* in 13 above
 - (b) unauthorised display of advertisements
 - (c) breaches of the Building Act and Regulations
- 15 Where *an injunction is required under the appropriate Act*, authorise necessary legal proceedings in consultation with the appropriate member if possible.
- 16 In consultation with the Chairman of the Development Control and Licensing Committee, submit an objection to the Licensing Authority concerning an application for a goods vehicle operators licence when the timescale does not allow for a report to be submitted to the Committee.

- Notes: 1 The Head of Planning and Building Surveying may at his discretion refer applications to the Development Control *and Licensing* Committee.
- 2 The Head of Planning and Building Surveying reserves the right, as a professional officer, to request that a matter be determined at the next highest level in the event of a recommendation by him not being acceptable to the Committee.
- 3 The Weekly List will indicate which applications are to be decided by the Committee.

- 4 Any Member may request that an application delegated to the Head of Planning and Building Surveying be considered by the Development Control and Licensing Committee.

Licensing

- 1 Determination of applications for licences and for registration of premises, *persons and vehicles*; and the amendment or transfer of such licences.
- 2 Refusal, revocation or suspension of licences and registrations.
- 3 Issue of statutory notices and certificates.
- 4 Institution of legal proceedings for breaches of licences or statutory provisions.
- 5 Observations on applications made under the Licensing Act 1964.
- 6 The issue of statutory notices, registrations and certificates in respect of charitable collections and gaming.

SCRUTINY COMMITTEES

Terms of reference

- 1 *To carry out the advisory, monitoring and scrutiny role in relation to the functions of the committees within their scope.*
- 2 *To report to the relevant policy committee(s) on any matter within scope affecting the district or its inhabitants, including the policies and/or functions of other agencies and organisations.*

Terms of Delegation

- 1 *Prepare work programme, subject to any positive direction from the Council.*
- 2 *Monitor and review policy and advise policy committees and/or the Council as appropriate .*
- 3 *Be responsible for service reviews and make recommendations to the relevant policy committee(s)*
- 4 *Monitor service and budget performance and the implementation of policy.*
- 5 *Consider matters referred by individual Members.*
- 6 *Obtain community views and expert opinions, where appropriate.*
- 7 *Call in decisions or actions proposed or taken but not implemented, in accordance with the Overview and Scrutiny Procedure Rules.*

SCRUTINY COMMITTEES – Scope

The Resources and Environment Scrutiny Committee will fulfil the advisory, monitoring and scrutiny role in relation to the following Committees:

- 1 Resources Committee
- 2 Environment and Transport Committee
- 3 Development Control and Licensing Committee, *but not in respect of decisions on applications.*

The Community and Housing Scrutiny Committee will fulfil the relevant role for the following Committees:

- 1 Community and Leisure Committee.
- 2 Health and Housing Committee

STAFF APPEALS COMMITTEE

A Terms of Reference

- 1 To consider and determine staff appeals against a decision by the appropriate Chief Officer acting under his/her delegated powers, or by a Committee, relating to their rights under the appropriate conditions of service or against a decision of a disciplinary nature including dismissal or relocation and to consider and determine staff appeals against job evaluation assessments.
- 2 The relevant provisions of the National Scheme of Conditions of Service relating to the appropriate procedure for dealing with staff appeals shall be applied in full during the consideration of staff appeals.

B Terms of Delegation to Committee

The Appeals Committee has full delegated powers to determine staff appeals submitted under the terms of reference set out at (A) (1) and (2) above.

EMERGENCY COMMITTEE

Leader, Deputy Leader, Chairman of the Council and Chairman of the Resources Committee.

Terms of Reference

To consult on the Council's behalf on matters relating to the District Emergency Plan and to implement arrangements for meeting the Council's emergency responsibilities.

STANDARDS COMMITTEE

Terms of Reference

- 1 To take steps to assist Members to avoid impropriety.
- 2 To formulate, review and disseminate guidance to Members and Officers on matters of conduct.
- 3 To consider and form a judgement upon complaints of misconduct made against individual members.

Terms of delegation to Committee

- 1 To consider and recommend one or more codes of conduct or protocols for members and/or officers of the Council.
- 2 To monitor and from time to time review and recommend changes to the codes of conduct or protocols for members and/or officers of the Council.
- 3 To make representations to the Local Government Association and Central Government about any matter relating to the general principles of conduct for members or officers of the Council.
- 4 To consider and determine any allegations against members of the Council of misconduct, meaning a breach of the National Code of Local Government Conduct or a code of conduct or protocol approved by the Council or the Standards Committee on its behalf, as amended from time to time, and for this purpose to resolve upon or recommend to the Council, as appropriate, any sanction it sees fit as a consequence of a finding of misconduct.
- 5 To be responsible for liaison with external agencies, in particular the District Auditor and the Local Ombudsman, in connection with any matter within the Committee's terms of reference.
- 6 To provide advice and guidance to members and to make arrangements for training in connection with any matters within the terms of reference of the Committee, in particular to enable members and officers to identify and avoid impropriety, actual or perceived.
- 7 To ensure that relevant information contained in documents such as the National Code of Conduct for Members, the Council's Anti-fraud policy and advice on gifts and hospitality are available and adequate to inform Members of their responsibilities.