

CHIEF OFFICERS – TERMS OF DELEGATION

Subject to policies, criteria and guidelines determined by Members where appropriate 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. All Chief Officers

NB. Any Chief Officer may at his or her discretion refer any decision to the appropriate Committee for decision

- 1.1 The day-to-day management of the services within the purview of the Chief Officer (to include the determination of the numbers and structure of staff required to deliver the service) within the approved budgets.
- 1.2 The day-to-day management of all employees within their service units.
- 1.3 All matters concerning the employment, discipline and dismissal of all staff under their control below the level of Chief Officer as defined in the Local Government and Housing Act 1989 subject to any right of appeal, any statutory provision and any matter reserved to elected Members.
- 1.4 In consultation with the Director of Central Services, the approval and implementation of training programmes; approval of attendance by employees at courses and seminars within the budget.
- 1.5 Any functions of any Committee of the Council delegated to a Chief Officer by that Committee.

2. The Chief Executive

- 2.1 The development of the Council's corporate policies
- 2.2 Development of corporate and service related strategies
- 2.3 Public relations and consultation

3. Assistant Chief Executive

- 3.1 Authorise the institution, defence, withdrawal or compromise of any claims or legal proceedings, civil or criminal including the making of appeals
- 3.2 Give necessary legal authorisation to officers of the Council to appear before magistrates' courts
- 3.3 Grant applications for licences and for registration of premises, persons and vehicles; and the amendment or transfer of such licences where such applications meet policy guidelines adopted by the Council or the appropriate committee.
- 3.4 Determination as to whether representations made in respect of licensing matters are valid or may be rejected as being vexatious or frivolous
- 3.5 Determination as to whether applications for reviews of licences may be rejected as being vexatious, frivolous or repetitious
- 3.6 Refusal of licences and registrations where such applications do not meet policy guidelines adopted by the Council or the appropriate committee.
- 3.7 Issue of statutory notices and certificates.
- 3.8 The issue of statutory notices, registrations and certificates in respect of charitable collections and gaming.
- 3.9 to suspend licences issued under Part II of the Local Government (Miscellaneous Provisions) Act 1976 for a period not exceeding 2 weeks where there has been a breach of condition or where in the view of the Assistant Chief Executive a prosecution would be disproportionate.
- 3.10 to suspend licences under section 61 Local Government (Miscellaneous Provisions) Act 1976 (as amended) immediately if in his or her opinion it is in the interest of public safety that the suspension have immediate effect, such suspension to last until the day after the next meeting of the Licensing Committee.
- 3.11 Subject to the provision of a satisfactory statutory declaration to grant an application where the applicant is in possession of an

enhanced criminal record check that was not more than 30 months old and to revoke any licence if a false declaration is made.

- 3.12 Subject to the provision of a satisfactory statutory declaration to renew an application for a licence where an enhanced criminal records check is required but not immediately available and to revoke any licence if a false declaration is made
- 3.13 To grant applications for consent to place tables and chairs on pedestrian areas of highways subject to standard conditions where such applications fall within the policy adopted by the Licensing Committee and to refuse applications which do not fall within that policy

4. Director of Development

NB: -

- The Weekly List will indicate which applications are to be decided by the Committee.
- Any Member may request that an application delegated to the Director of Development be considered by the Development Control Committee provided such request is made within the period agreed by the Development Control Committee.

4.1 Decide whether: -

4.1.1 applications are “county matters”

4.1.2 planning permission is required for development, including Section 64 applications

4.1.3 environmental impact assessment is required

4.1.4 listed Building Consent is necessary

4.1.5 express consent to display advertisements is required.

4.2 Make comments on: -

4.2.1 minor proposals submitted by government departments,

4.2.2 Essex County Council and statutory undertakers

- 4.2.3 minor proposals submitted for consultation by an adjoining planning authority
- 4.2.4 consultations from the Forestry Commission
- 4.2.5 consultations from Diocese of Chelmsford on proposals under the Pastoral Measures Act 1983
- 4.3 Determine whether prior approval is required for agricultural or telecommunications development.
- 4.4 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.
- 4.5 Determine applications for: -
 - 4.5.1 minor developments (e.g. householder, changes of use)
 - 4.5.2 sub division of existing dwellings.
 - 4.5.3 minor alterations to previously approved plans and conditions
 - 4.5.4 vehicular and pedestrian access
 - 4.5.5 changes of use from within class A) and of floors above shops in town and village centres from and to residential or vacant from and to residential or A2 or B1 (offices)
 - 4.5.6 all agricultural developments
 - 4.5.7 removal of agricultural occupancy conditions where supported by a proven appraisal and previously advertised for 6 months
 - 4.5.8 temporary caravan or mobile home for agricultural occupation
 - 4.5.9 overhead power lines
 - 4.5.10 advertisements
 - 4.5.11 renewal of permissions where the circumstances are the

same, or very similar, to those pertaining at the previous grant of permission including where those permissions have lapsed.

- 4.5.12 replacement dwellings.
- 4.5.13 changes of use of up to 1000 sq m
- 4.5.14 up to 9 dwellings within DLs in Stansted, Great Dunmow and Saffron Walden and up to 3 dwellings within DLs elsewhere.
- 4.5.15 refusal for dwellings outside DLs
- 4.5.16 barn conversions
- 4.5.17 certificates of Lawful Use and Development
- 4.5.18 refusals for telecommunications developments
- 4.5.19 minor tourist related developments including change of use to overnight accommodation of up to 5 units
- 4.5.20 equestrian and equine-related developments where the amount of building, whether new or change of use, is less than 1000 sq m, but where the associated area of land may be greater
- 4.5.21 new community and recreation facilities e.g. village halls, play areas and extension to schools and changes of use of agricultural and other land for recreation purposes regardless of the site area.
- 4.5.22 minor engineering operations e.g. balancing ponds, flood protection works.
- 4.6 Decline to determine repeat planning applications in accordance with the provisions of section 43 of the Planning and Compulsory Purchase Act 2004, and amended sections 70A and B of the Town and Country Planning Act 1990, and Sections 81A and 81B of the Listed Buildings Act, 1990.
- 4.7 Determine matters reserved by conditions .
- 4.8 Make orders for the diversion, extinguishment and creation of public rights of way.

- 4.9 Issue revised decision notices for applications previously determined.
- 4.10 Determine: -
 - 4.10.1 confirmation of tree preservation orders
 - 4.10.2 application and notification to carry out works to tree subject to a tree preservation order within a conservation area, other than those determined by Committee
 - 4.10.3 hedgerow removal notices.
 - 4.10.4 complaints about high hedges under Part 8 of the Anti-Social Behaviour Act 2003
- 4.11 Deal with dangerous trees under the Local Government (Miscellaneous Provisions) Act 1976 and to recharge the costs to owners.
- 4.12. 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.
- 4.13. 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.
- 4.14 Deal with the operation of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations.
- 4.15 Issue: -
 - 4.15.1 Requisitions for Information
 - 4.15.2 Planning Contravention Notices
 - 4.15.3 Notices of Entry
 - 4.15.4 Building Preservation Notices
 - 4.15.5 Breach of Condition Notices and take any necessary action arising therefrom.

- 4.16 Take enforcement action to secure compliance with conditions of all permissions approved by the Development Control Committee
- 4.17 Specify time limits for compliance with an Enforcement Notice and a Stop Notice
- 4.18 Institute legal proceedings for:-
 - 4.18.1 failure to comply with any of the statutory notices referred to in 3.15 above
 - 4.18.2 failure to comply with an Enforcement Notice or Stop Notice
 - 4.18.3 unauthorised display of advertisements
 - 4.18.4 breaches of the Building Act and Regulations
- 4.19 The issue and service of Article 4 Directions in conjunction with the Assistant Chief Executive and, if available, the Chairman or Vice Chairman of the Development Control Committee.
- 4.20 The issue and service of enforcement notices and stop notices in conjunction with the Assistant Chief Executive and, if available, the Chairman or Vice Chairman of the Development Control Committee.
- 4.21 The necessary procedure for the service of injunctions in conjunction with the Assistant Chief Executive and, if available, the Chairman or Vice Chairman of the Development Control Committee.
- 4.22 The institution of committal proceedings for breach of an injunction.
- 4.23 The submission of objections to the Traffic Commissioners or other licensing authority for applications for Goods Vehicle Operators Licences.
- 4.24 Functions associated with the preparation and monitoring of the Locally Determined Highways Programme.
- 4.25 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.
- 4.26 Minor editorial changes to planning policy documents

4.27 Organise site visits of the Development Control Committee in advance of meeting of that committee.

4.28 Street names and house numbers

4.29 The promotion of energy efficiency and carbon reduction measures

4.30 Disability issues appropriate to the facilities and activities within the purview of the Council

5. Director of Central Services

- 5.1 The production of the Council's Annual Report and Financial Statement.
- 5.2 Treasury Management, including banking arrangements and investments.
- 5.3 Removal of contractors from the approved list.
- 5.4 The implementation of national provincial and local agreements and amendments to conditions of service
- 5.5 The approval of pensionable ill health retirement in consultation with the Leader of the Council and the Chairman of the appropriate committee
- 5.6 The issue of possession proceedings in respect of Council owned properties not forming part of the housing stock
- 5.7 Procurement and contract management
- 5.8 Strategic partnerships and the Community Strategy
- 5.9 Best Value, Comprehensive Performance Assessment and performance management
- 5.10 Management of the overview and scrutiny functions
- 5.11 Service planning and the corporate plan
- 5.12 Community development and the management of area panels
- 5.13 National lottery and grant matters
- 5.14 In consultation with the Chairman of the Community Committee the confirmation of the award of Ad Hoc and Community Project Grants.
- 5.15 Applications for grant aid - annual reports on the grants made to be submitted to the Community Committee
- 5.16 Contract monitoring and quality control of ICT facilities
- 5.17 Applications to central government for funding specific projects

- 5.18 Uttlesford in 2011 Transformation Programme and Corporate cross cutting initiatives
- 5.19 Development of service related IT strategies such as the IT strategy
- 5.20 Corporate initiatives such as the Integrated Customer management project
- 5.21 The Council's functions under the Crime and Disorder Act 1998
- 5.22 The issue of proceedings for Anti Social Behaviour Orders
- 5.23 Quality control and client management of fitness and leisure and sports centres

6. Director of Operations

- 6.1 In relation to Street Scene Services the day-to-day management of its contracts and services, including the preparation and submission of tenders.
- 6.2 The hiring of land and premises within the purview of the Services
- 6.3 The institution of legal proceedings for breaches of statutory provisions
- 6.4 Contract monitoring, quality control and client management of the grounds maintenance service
- 6.5 The issue of statutory notices and certificates.
- 6.6 The issue of possession proceedings in respect of Council owned properties forming part of the housing stock
- 6.7 Administration of council tax, business rates and housing and council tax benefits
- 6.8 Completion of grant claims for housing and council tax benefit and discretionary housing payments
- 6.9 Collection and control of cash