

B. POLICY COMMITTEES

- (I) REGULATORY AND SUPPORT SERVICES COMMITTEE**
- (II) COMMERCIAL SERVICES COMMITTEE**
- (III) CORPORATE GOVERNANCE & FINANCE COMMITTEE**
- (IV) ASSET DEVELOPMENT COMMITTEE**

(I) REGULATORY AND SUPPORT SERVICES COMMITTEE**1.0 CONSTITUTION**

1.1 The Committee shall comprise of 11 members of Council who shall be appointed by Full Council (from the full membership). Its quorum is 5.

2.0 OBJECTIVES

2.1 To formulate policy, monitor and oversee the Service Delivery Plans for the Council's regulatory and support services to achieve the Council's corporate objectives and priorities.

3.0 TERMS OF REFERENCE

3.1 The Committee's terms of reference shall be:-

3.2 To approve and monitor performance against the Service Delivery Plans for the following service areas:-

- Building Control
- Environmental Services
- Housing Services
- Planning
- Waste
- Customer Services
- Financial Services
- HR and Facilities
- Legal Services
- Information Technology

3.3 To approve key policies and procedures as defined within the specific Service Delivery Plans (as defined in paragraph 3.2) and not reserved for full Council, including:

- environmental and enforcement policies and procedures
- Housing Services (Sub strategies to Housing Strategy including the homelessness Strategy and also operational allocation and lettings matters
- criteria for housing grant schemes and conservation area/historic buildings grants
- Waste Strategy and policies/procedures related to procurement and variations to contract including monitoring the implementation of DCLG 'Supporting Weekly Collections' grant
- Councils IT/IS Strategy including e-government and customer access
- Freedom of Information Act/Environmental Information Regulation/Data Protection Act.
- To approve Policy with respect to all aspects of Human Resources (including Equal Opportunities, pay and grading, Child protection and staff survey.

3.4 To act as the Council's member body in relation to personnel matters including:

- representing the employers side of the Joint Consultative Committee (via two members) and receive the minutes and any recommendation of the JCC, including local Agreements.
- determination of requests for early retirement other than for health reasons;
- acting in accordance with the Council's Disciplinary and Grievance procedure including the establishment of a 3 member Appeals Sub Committee.

3.5 To consider proposals for closer partnership working for services as defined in paragraph 3.2.

3.6 To receive the minutes of the ARP Joint Committee and make any appropriate recommendations to Joint Committee or Council.

3.7 To appoint 'Service Delivery Champions' as defined in the Constitution (2:03(e)) and referred to below.

3.8 Approval of matters detailed above must be within the agreed budget and virement rules for the services defined in paragraph 3.2.

3.9 To make nominations to any relevant outside bodies for Regulatory & Support Services Committee from the wider membership of the Council for a period of up to 4 years.

4. Delegation to Regulatory and Support Services Committee

4.1 Subject to the provisions of the Council's Constitution, the Committee has delegated authority to act on behalf of the Council in relation to the above, unless

- reserved to Council; and
- delegated to officers under these or the other Committee terms of reference.

5. Delegation to Officers

5.1 The Chief Executive or Directors or appropriate Service Leads, are authorised to act in relation to any matter of immediate urgency, which must be dealt with before the next meeting of the Committee provided:

- the Chairman or Vice-Chairman of the Committee is consulted prior to the delegated decisions being made;
- the Service Delivery Champion is consulted prior to the delegated decisions being made;
- spokespersons of minority groups are notified immediately of any action taken under this delegated power;
- action taken is reported to the next Committee; and
- it excludes any decision, which is by law expressly vested in the Council.

5.2 There shall be delegated to the Chief Executive or Directors, the exercise of any power or function of the Council in routine matters related to the implementation of agreed Strategies, Policies and programmes, falling within established policies and procedures and within existing budgets.

For the avoidance of doubt this delegation shall include the power to authorise others to exercise such powers.

This delegation shall not be taken to include any matter reserved to Full Council.

- 5.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters set out below (whether Policy approval, monitoring or operational matters have been delegated to a Sub-Committee or not) under the Listed Acts or any amendment, modification or re- enactment of those Acts, or Regulations/Orders made under those Acts:

Health and Safety at Work etc Act 1974 Provisions relating to the health and safety at work of Council employees.	Director Support Services or Human Resources Manager
Local Government Act 1972 To make appointments below Chief Executive level.	Director Support Services (in consultation with the Human Resources Manager)
To determine applications for car loans.	Financial Services Manager
To approve payment of additional increments.	Director Support Services or Human Resources Manager
To approve overtime payments to officers graded above Scale 6.	Service Lead (in Consultation with Human Resources)
To permit staff taking approved correspondence courses or attending evening classes to study during working hours.	Human Resources Manager or Service Lead (in Consultation with Human Resources)
To authorise financial assistance to staff undertaking approved courses of study.	Director Support Services or Human Resources Manager
To administer pension matters on behalf of the Council.	Director Support Services or Human Resources Manager
To determine alterations to grades.	Director Support Services or Human Resources Manager
To issue notification as to status under the appropriate pension regulations.	Director Support Services or Human Resources Manager
Classification of posts as "essential" or "casual" users.	Chief Executive or Human Resources Manager
To maintain the register of staff interest and hospitality.	Legal Services Manager
To maintain information security policies/procedures.	Principal ICT Officer
Street name and numbering.	Principal ICT Officer

Determination of the Council's establishment within existing budgets.	Director Regulatory Services
Building Act 1984 ss. 59, 60-64, 65, 76, 95	Environmental Services Manager or Director Regulatory Services
Clean Air Act 1993	Environmental Services Manager
Clean Neighbourhoods and Environment Act 2005	Environmental Services Manager or Director Regulatory Services
Contaminated Land (England) Regulations 2006 (as amended)	Environmental Services Manager or Director Regulatory Services
Control of Pollution Act 1974	Environmental Services Manager or Director Regulatory Services
Control of Pollution Amendment Act 1989	Director Regulatory Services
Criminal Justice and Public Order Act 1994	Director Regulatory Services
Crime and Disorder Act 1998	Environmental Services Manager or Director Regulatory Services
Dogs Act 1871	Environmental Services Manager or Director Regulatory Services
Dogs (Fouling of Land) Act 1996	Environmental Services Manager or Director Regulatory Services
Environment Act 1995	Environmental Services Manager or Director Regulatory Services
Environmental Protection Act 1990 (as amended) and all current Environmental Damage, Permitting and Protection Regulations in force	Environmental Services Manager or Director Regulatory Services
European Communities Act 1972	Environmental Services Manager or Director Regulatory Services
Factories Act 1961	Environmental Services Manager or Director Regulatory Services
Food Act 1984	Environmental Services Manager or Director Regulatory Services
Food and Environmental Protection Act 1985	Environmental Services Manager or Director Regulatory Services
Food Safety Act 1990	Environmental Services Manager or Director Regulatory Services
All current Food Safety and Food Hygiene Regulations	Environmental Services Manager

in force	or Director Regulatory Services
Health and Safety at Work etc Act 1974 and Health and Safety (Enforcing Authority) Regulations 1989	Environmental Services Manager or Director Regulatory Services
Health Act 2006	Environmental Services Manager or Director Regulatory Services
Service of Fixed Penalty Notices	All qualified Environmental Health Officers and appropriately authorised Enforcement Officers
Reports to Legal Services	All qualified Environmental Health Officers and appropriately authorised Enforcement Officers
Preparation of Reports	All qualified Environmental Health Officers and appropriately authorised Enforcement Officers
Decision to submit a report to Legal Services	Environmental Services Manager or Waste Services Team Leader
Housing Act 1985 (as amended by Housing Act 1996) Part X Service of notice and action to prevent overcrowding in houses	Environmental Services Manager or Director Regulatory Services
Housing Act 1985 (as amended by the Local Government and Housing Act 1989) After consultation with the Head of Finance and Chief Executive to waive the repayment of repairs grants, in accordance with the criteria laid down by the Council.	Environmental Service Manager or Legal Services Manager
Undertake preliminary action to obtain valuations, identify budget and/or find partnering organisation(s) for the purchase/or compulsory purchase orders [for empty properties] in accordance with Acquisition of Land Act 1981/Housing Act 1985 (as amended) legislative procedure.	Environmental Service Manager or Legal Services Manager
Local Government and Housing Act 1989 Power to grant and refuse grants	Environmental Service Manager or Financial Services Manager
Local Government and Housing Act 1989 Power of entry and penalty for obstruction Section 97	Environmental Service Manager or Legal Services Manager
Housing Grants, Construction and Regeneration Act 1996	Environmental Service Manager or Financial Services Manager

Section 13, 18, 24, 76, 115, 131 Power to grant and refuse applications for grants and discretionary assistance.	
Housing Grants, Construction and Regeneration Act 1996 Section 82 Power of Entry.	Environmental Service Manager or Legal Services Manager
Housing Act 2004	Environmental Services Manager or Director Regulatory Services
Land Drainage Act 1991	Environmental Services Manager or Director Regulatory Services
Litter Act 1983	Environmental Services Manager or Director Regulatory Services
Local Government (Miscellaneous Provisions) Act 1976 ss. 16, 20, 35, 50(4), 53(3), 56(3), 56(4), 58(2), 68	Environmental Services Manager or Director Regulatory Services
Local Government (Miscellaneous Provisions) Act 1972	Environmental Services Manager or Director Regulatory Services
Mines and Quarries Act 1954	Environmental Services Manager or Director Regulatory Services
National Assistance Act 1968 and National Assistance (Amendments) Act 1951	Environmental Services Manager or Director Regulatory Services
Noise Act 1996	Environmental Services Manager or Director Regulatory Services
Noise and Statutory Nuisance Act 1973 and 1993	Environmental Services Manager or Director Regulatory Services
Noise Insulation Regulations 1973	Environmental Services Manager or Director Regulatory Services
Office, Shops and Railway Premises Act 1963	Environmental Services Manager or Director Regulatory Services
The Pollution, Prevention and Control Act 1999 [or The Environmental Permitting (England and Wales) Regulations 2007]	Environmental Services Manager or Director Regulatory Services
Prevention of Damage by Pests Act 1949	Environmental Services Manager or Director Regulatory Services
Public Health Acts 1936 and 1961	Environmental Services Manager or Director Regulatory Services
Rag, Flock and Other Filling Materials Act 1951	Environmental Services Manager or Director Regulatory Services
Refuse Disposal (Amenity) Act 1978	Environmental Services Manager

	or Director Regulatory Services
Sunday Trading Act 1994	Environmental Services Manager or Director Regulatory Services
The Products of Animal Origin (Third Country Imports) (England) (Amendments) Regulations 2007	Environmental Services Manager or Director Regulatory Services
Public Health (Control of Disease) Act 1984	Environmental Services Manager or Director Regulatory Services
Vehicle (Crime) Act 2001¹ (or to the extent that it is relevant, from commencement the Scrap Metal Dealer's Act 2013 – see relevant delegation)	Environmental Services Manager or Director Regulatory Services
Waste Minimisation Act 1998	Environmental Services Manager or Director Regulatory Services
Water Industry Act 1991	Environmental Services Manager or Director Regulatory Services
Affordable Housing Grant To act as the Council's Signatory to certified claims to the Housing and Communities Agency (HCA)	Infrastructure and Strategy Manager
Housing Act 1996 (as amended by Homelessness Act 2002) Part VII The Council's powers and duties to house homeless people who satisfy criteria laid down in the Act and by the Council	Housing Options Manager
Part VII Review of Decisions to determine requests for reviews from applicants against decisions made under the homelessness provisions	Housing Options Manager

¹ Scrap Metal Dealer's Act 2013 replaces the system of registration for motor salvage, as from 1 October 2013, although transitional provisions apply – see SI 2013/1966. Amendment Monitoring Officer under Article 11.02 (a).

TRANSFORMATION PROGRAMME SUB-COMMITTEE

1.0 CONSTITUTION

- 1.1 The Transformation Programme Sub-Committee shall comprise 6 Members on an ex-officio (by virtue of office) basis as follows:

Chair of Regulatory and Support Services Committee
Service Delivery Champion for Performance Management
Service Delivery Champion for ICT
Service Delivery Champion for Human Resources
Service Delivery Champion for Customer Services
Representative for the Liberal Democrats

2.0 OBJECTIVES

- 2.1 To act as the Sub-Committee for the Council's Transformation Programme in accordance with the Governance Document for the Transformation Programme.

3.0 TERMS OF REFERENCE

- 3.1 The terms of reference of the Transformation Programme Sub-Committee shall be to:

- Monitor the outputs of the Transformation Programme.
- Agree key strategic decisions which could potentially affect the running of the council.
- Where appropriate, agree the procurement of contractors or equipment.
- Help to mitigate against risk and secure the future success of the Programme in accordance with key milestones.
- Give guidance and support the direction of the Programme.
- Provide clear leadership.
- Ensure that where resources are necessary they are provided; in accordance with project need, project outputs and business requirements.
- Manage any key strategic risks facing the programme.
- Resolve conflict (should it arise).
- Maintain the programme's alignment to the Council's strategic direction.
- Ensure the Council and staff are managed carefully through the process of change.
- Take responsibility for approving outputs from definition stage.
- Be responsible for the go ahead to move to the implementation stage.
- Have ultimate responsibility for the programme's success.

4.0 DELEGATION TO SUB-COMMITTEE AND OFFICERS

- 4.1 Subject to the provisions of the Council's Constitution, the Sub-Committee has delegated authority to act on behalf of the Council in relation to the above, unless reserved for the Council and delegated to officers under paragraph 4.2 or other Committee Terms of Reference.

- 4.2 The Chief Executive or Directors or appropriate Service Leads, are authorised to act in relation to matters of immediate urgency, which must be dealt with before the next meeting of the Sub-Committee provided the Chairman/Vice Chairman of the Sub-Committee is consulted to prior to the delegated decisions being made.

(ii) COMMERCIAL SERVICES COMMITTEE**1.0 CONSTITUTION**

1.1 The Committee shall comprise of 11 members of Council who shall be appointed by Full Council (from the full membership). Its quorum is 5.

2.0 OBJECTIVES

2.1 To formulate policy, monitor and oversee the Service Delivery Plans for the Council's commercial services to achieve the Council's corporate objectives and priorities.

2.2 To promote and oversee the Council's commitment to exploring the commercial opportunities in the delivery of its priority services.

3.0 TERMS OF REFERENCE

3.1 The Committee's terms of reference shall be:-

3.2 To approve and monitor performance against Service Delivery Plans and business plans for the following service areas:-

- Parks and Open Spaces
- Markets and Town Centres Services
- Leisure, Tourism and Community Services

3.3 To approve key policies and procedures as defined within the specific Service Delivery Plans (as defined in paragraph 3.2) not reserved for full Council, including:

- Approval of final car parking orders;
- Purchase, disposal and development of the Council's assets, including land and buildings;
- Award grants for the following grant schemes i.e. Community Projects, Voluntary Organisations and Service Level Agreements in excess of £5000pa;
- Responsibilities under the 2004 Children's Act;
- Responsibilities under the Police and Justice Act 2006
- Assets of Community value
- Discretionary Rate Relief

3.4 To consider proposals for closer partnership working for services as defined in paragraph 3.2.

3.5 To appoint 'Service Delivery Champions' as defined in the Constitution (2:03) and referred to below:

3.6 Approval of matters detailed above must be within the agreed budget and virement rules for the services defined in paragraph 3.2.

3.7 To make nominations to any relevant outside bodies for Commercial Services Committee from the wider membership of the Council for a period of up to 4 years.

3.8 To receive a case and make a decision on proposals for a Public Space Protection Orders (PSPO) made by Officers and the Constabulary.

4.0 Delegation to Commercial Services Committee

- 4.1 Subject to the provisions of the Council's Constitution, the Committee has delegated authority to act on behalf of the Council in relation to the above, unless
- reserved to Council; and
 - delegated to officers under these or the other Committee terms of reference.

5.0 Delegation to Officers

- 5.1 The Chief Executive or Directors or Service Lead, are authorised to act in relation to any matter of immediate urgency, which must be dealt with before the next meeting of the Committee provided:
- the Chairman or Vice-Chairman of the Committee is consulted prior to the delegated decisions being made;
 - the Service Delivery Champion is consulted prior to the delegated decisions being made;
 - spokespersons of minority groups are notified immediately of any action taken under this delegated power;
 - action taken is reported to the next Committee; and
 - it excludes any decision, which is by law expressly vested in the Council.
- 5.2 There shall be delegated to the Chief Executive or Commercial Manager, the exercise of any power or function of the Council in routine matters related to the implementation of agreed Strategies, Policies and programmes, falling within established policies and procedures and within existing budgets.
- For the avoidance of doubt this delegation shall include the power to authorise others to exercise such powers.
- This delegation shall not be taken to include any matter reserved to Full Council.
- 5.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters set out below (whether Policy approval, monitoring or operational matters have been delegated to a Sub-Committee or not) under the Listed Acts or any amendment, modification or re- enactment of those Acts, or Regulations/Orders made under those Acts:

<p>Localism Act 2011 <u>Chapter 3 Assets of Community Value</u> Register of Assets of Community Value (to consider applications for nomination)</p> <p><u>Appeals</u></p> <p><u>Compensation</u></p> <p><u>First Tier Tribunal claims</u></p>	<p>Principal Leisure & Community Services Officer, Legal Services Manager & Planning Manager</p> <p>Chief Executive or Directors</p> <p>Financial Services Manager</p> <p>Legal Services Manager</p>
<p>Grants Determination of all community grant requests under established grant schemes (No limits on grant amounts).</p>	<p>Principal Community and Leisure Services Officer or Partnerships Officer</p>
<p>Car Parking The maintenance and running of off-street car parks.</p>	<p>Chief Executive or Team Leader Tourism and Town Centre Services</p>
<p>To institute legal proceedings contravention of off-street car parking orders.</p>	<p>Legal Services Manager</p>
<p>The appointment of additional market dates for markets established under the Food Act 1984</p>	<p>Team Leader Tourism & Town Centres Services or Chief Executive, in consultation with the Chairman/Vice-Chairman of Committee</p>
<p>Contract Issues To compile a list/catalogue of consultants and tenderers as appropriate.</p>	<p>Chief Executive or Commercial Manager</p>
<p>Anti Social Behaviour Crime and Policing Act 2014 Power to grant Injunctions</p>	<p>Director Regulatory Services or Housing Options Manager</p>
<p><u>Power to issue Closure Notices</u> 48 hour Closure Notice 24/48 Closure Notice 24 hour Closure Notice</p>	<p>Chief Executive Director Regulatory Services Environmental Services Manager Open Spaces and Facilities Manager</p>
<p><u>Power to issue closure Order</u></p>	<p>Chief Executive or Director Regulatory Services or Environmental Services Manager</p>
<p><u>Power to issue Community Protection Notice</u></p>	<p>Environmental Services Manager or Principal Housing Officer or Waste Services Team Leader</p>

(iii) CORPORATE GOVERNANCE AND FINANCE COMMITTEE**1.0 CONSTITUTION**

1.1 This Committee shall comprise of 11 members of Council who shall be appointed by Full Council (from the full membership). Its quorum is 5.

2.0 OBJECTIVES

2.1 The oversight and approval of Financial, Audit, Governance, Corporate Strategy or Plans, Risk Management and Corporate Performance matters (not otherwise the responsibility of the Council or any other Committee).

2.2 To formulate policy, monitor and oversee the Service Delivery Plans for the Corporate Unit services to achieve the Council's corporate objectives and priorities.

3.0 TERMS OF REFERENCE

3.1 The Committee's terms of reference shall be:-

3.2 To approve and monitor performance against the Service Delivery Plans for the following service areas:-

- Strategic Housing
- Strategic Planning
- Infrastructure
- Economic Development
- Democratic Services
- Performance Management

3.3 To act as the Council's Finance and Audit Committee and the discharge of these duties and responsibilities including:-

- consideration of Annual Audit letter to Members, Annual Audit and Inspection Fee Letter and the External Auditor Annual Governance Report, Annual Audit Plan and Code of Audit Practice and Statement of Responsibilities;
- approve the Annual Governance Statement;
- approve the Medium Term Financial Strategy and Statement of Accounts;
- approval of the Code of Corporate Governance;
- Budget and Annual Treasury Management and Investment Strategy (recommendation to Council).
- To allocate expenditure of CIL Contributions in accordance with the Community Infrastructure Levy Governance Arrangements.

3.4 To undertake quarterly monitoring of revenue and capital expenditure against approved budgets.

3.5 To agree the Internal Audit Terms of Reference and Internal Audit Plan, review and consider the Plan, any Annual Report and, or Opinion.

- 3.6 To investigate financial/budgetary matters pertaining to the Council and make recommendations where appropriate.
- 3.7 To oversee and approve the Code of Corporate Governance. To oversee the Council's Corporate Governance arrangements including Anti-Fraud and Corruption Policy.
- 3.8 To approve Corporate Policies on enforcement and surveillance and receive any relevant external reports.
- 3.9 To oversee the Council's Corporate Risk Register and recommend revisions to the Council's Risk Management Strategy.
- 3.10 To consider and accept or reject expressions of interest under the Community Right to Challenge.
- 3.11 To receive a report and determine the application in respect of Neighbourhood Planning.
- where the Neighbourhood Area proposed does not match the parish boundary and objections to the proposed boundary are received.
 - to receive a report and agree final representations following consultation
 - if (other than minor non-consequential matters) the examiners recommendations are not accepted in full or if the Council is proposing further modifications (in addition to any modifications recommended by the examiner
- 3.12 To consider and make recommendations to Council on:
- **the Annual Treasury Management Strategy, and Annual Investment Strategy;**
 - **the Budget;**
 - **(where appropriate) the Internal Audit Plan to Council;**
 - **the Members' Allowance scheme including the outcome of any independent panel reviews;**

Note that any non-urgent Policy decision may be Referred-up, or subject to Council call-in under Council Procedure Rules 25 & 26. Decisions will otherwise come into force on the 7th working day following the publication of the Policy Committee decision.

- 3.13 To approve key policies and procedures as defined within the specific Service Delivery Plans (as defined in paragraph 3.2) and not reserved for full Council, including:
- Councillor conduct including Members Code of Conduct and the establishment of Hearings Sub Committee (if appropriate) to deal with complaints in accordance with procedures;
 - Monitoring the Council's corporate objectives and priorities;
 - Monitoring the Council's corporate risk register.
 - Housing Strategy sub strategies including tenancy strategy, also strategic allocation and lettings matters and the Local Investment Plan (LIP)
 - Strategic Policy related to Local Development Framework,

- Economic Development and Job Growth
- Community Infrastructure Levy

- 3.14 To consider proposals for closer partnership working for services as defined in paragraph 3.2.
- 3.15 To appoint 'Service Delivery Champions' as defined in the Constitution (2:03(e)) and referred to below.
- 3.16 To make nominations to any relevant outside bodies for Corporate Governance and Finance Committee from the wider membership of the Council for a period of up to 4 years.

4.0 Delegation to Corporate Governance & Finance Committee

- 4.1 Subject to the provisions of the Council's Constitution, the Committee has delegated authority to act on behalf of the Council in relation to the above, unless
- reserved to Council; and
 - delegated to officers under these or the other Committee terms of reference.

5.0 Delegation to Officers

- 5.1 The Chief Executive or Director Commercial & Corporate Services or appropriate Service Lead, are authorised to act in relation to any matter of immediate urgency which must be dealt with before the next meeting of the Committee provided:
- the Chairman or Vice-Chairman of the Committee is consulted prior to the delegated decisions being made;
 - the Service Delivery Champion is consulted prior to the delegated decisions being made;
 - Spokespersons of minority groups are notified immediately of any action taken under this delegated power;
 - action taken is reported to the next Committee; and
 - it excludes any decision, which is by law expressly vested in the Council.
- 5.2 There shall be delegated to the Chief Executive or Director Commercial & Corporate Services the exercise of any power or function of the Council in routine matters related to the implementation of agreed Strategies, Policies and programmes, falling within established policies and procedures and within existing budgets.

For the avoidance of doubt this delegation shall include the power to authorise others to exercise such powers.

This delegation shall not be taken to include any matter reserved to Full Council.

- 5.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters set out below (whether Policy approval, monitoring or operational matters have been delegated to a Sub-Committee or not) under the Listed Acts or any amendment, modification or re-enactment of those Acts, or Regulations/Orders made under those Acts:

<p>Localism Act 2011 and The Community Right to Challenge (Expression of Interest and Excluded Services) (England) Regulations 2012/1313</p> <p>Expressions of interest sections 1-83 To consider on a preliminary basis whether the expression of interest meets the statutory requirements and rejection of those that do not meet those requirements.</p>	<p>Chief Executive and Partnerships Officer</p>
<p>To prepare asset registers in response to an expression of interest.</p>	<p>Chief Executive or Service Lead</p>
<p>Planning Act 2008 & Community Infrastructure Levy Regulations 2010</p> <p>To accept a “land payment or”/ note in whole or part payment in kind in settlement of a CIL liability that is due or infrastructure in kind</p>	<p>Chief Executive Director Commercial & Corporate Services</p>
<p>To consider a review under Regulation 113</p>	<p>Director Commercial & Corporate Services</p>
<p>To spend Strategic CIL income in accordance with the appropriate allocations</p>	<p>Chief Executive, Director Commercial & Corporate Services</p>
<p>High Hedges</p> <p>To take decisions and actions and to issue notice in accordance with the High Hedges Policy and Procedures</p>	<p>Director Regulatory Services or Planning Manager and Senior Planners and Senior Enforcement officers</p>
<p>Traffic Orders</p> <p>To respond to County Council consultations on proposed traffic orders, in consultation with the local Member(s).</p>	<p>Director Regulatory Services or Planning Manager</p>
<p>Footpath Orders</p> <p>To make Footpath Orders where no adverse comments are received from Members and other consultees.</p>	<p>Director Regulatory Services or Planning Manager</p>
<p>The Planning (Listed Buildings and Conservation Areas) Act 1990</p> <p>Section 57 To award grants of up to £4,000.</p>	<p>Director Regulatory Services or Planning Manager</p>
<p>To approve grant applications where there is a clear urgency for an early decision, subject to consultation with the Chairman of the Committee.</p>	<p>Director Regulatory Services or Planning Manager or Infrastructure & Strategy Manager</p>
<p>Business Incentive Grants Scheme – to determine applications within the approved criteria, up to</p>	<p>Director Commercial & Corporate Services</p>

£5,000.	
<p>Localism Act 2011</p> <p>Assistance to Parish Councils to prepare neighbourhood plans and neighbourhood development orders.</p>	Director Commercial & Corporate Services or Strategic Planning Manager
<p>Town and Country (General Permitted Development) Order 1995</p> <p>Service of Article 4 in emergency, restricting development subject to notification of any such action being made as soon as practicable to a meeting of the Development & Transport Committee.</p>	Director Regulatory Services or Planning Manager
<p>Affordable Housing Grant</p> <p>To act as the Councils Signatory to certified claims to the Housing and Communities Agency (HCA)</p>	Infrastructure & Strategy Manager
<p>Housing Social Grant</p> <p>To act as the Council's signatory to certify claims to the Housing Corporation for Local Authority Social Housing Grant</p>	Financial Services Manager
<p>The Child Support, Pensions and Social Security Act 2000 and the Discretionary Financial Assistance Regulations 2001</p> <p>To hear and determine appeals from applicants for discretionary housing payments.</p>	Financial Services Manager
<p>Council Tax Benefit (General) Regulations 1992</p> <p>To determine, award and refuse Council Tax Benefits.</p>	Financial Services Manager as delegated to the Anglia Revenues and Benefits Partnership
<p>Housing Act 1985</p> <p>To approve and not refuse, applications for borrowers for housing allowances to vary the terms of repayment of loans by the Council.</p>	Financial Services Manager or Legal Services Manager
To take appropriate action in cases of default by Council Mortgagors in their repayment, following consultation with the local councillor(s) concerned.	Financial Services Manager or Legal Services Manager
To consent to a mortgagor effecting a second mortgage.	Financial Services Manager or Legal Services Manager
Implementation of the higher of the National Standard Rate or Local Average Rate of mortgage interest (NB: House purchase loans advanced prior to October 1980) to review annually in March the interest rate being charged to mortgagors and adjust it to the Standard National Rate.	Financial Services Manager

To deal with write-offs exceeding £1,000 but under £20,000, after consultation with the Chairman of the Committee, where recovery is unlikely / uneconomic.	Financial Services Manager
Section 49 To determine applications for remission of non-domestic rates on hardship grounds.	Financial Services Manager
To determine applications in respect of partly occupied properties.	Financial Services Manager
Local Government Finance Act 1992 (as amended) Council Tax To deal with/authorise issue of completion notices, discounts, recovery and enforcement exemptions, agreement of alternative and voluntary instalment arrangements, determination of joint and several liability, refunds, imposition of penalties, reductions for people with disabilities, second adult rebates, determination of sole or main residence, grant of transitional reductions, write-offs up to £1,000 where recovery is unlikely or uneconomic.	Financial Services Manager
Referendum on Council Tax.	Financial Services Manager and Returning Officer
To deal with write-offs exceeding £1,000 but under £5,000, after consultation with the Chairman of the Committee, where recovery is unlikely or uneconomic.	Financial Services Manager
To write-off Council Tax and Housing Benefit Overpayments not exceeding £5,000 and NNDR not exceeding £10,000	Head of ARP and Strategic Manager (revenues)
To determine matters where appeals may be made to the Council as billing authority.	Financial Services Manager
To administer the Collection Fund.	Financial Services Manager
To agree the settlement of precept payment dates with the Major and Local Precepting Authorities.	Financial Services Manager
To remit, by way of write-off, any amounts becoming due through the revised policy to remove discretionary Council Tax discount for empty properties, in exceptional circumstances or on hardship grounds, after consultation with the Chairman of the Committee.	Financial Services Manager

<p>Business Rates Retention Scheme To deal with the National Non-Domestic Rates return (NDR1) by 31 January immediately preceding the financial year to which it relates</p>	Financial Services Manager
<p>Localism Act 2011 Chapter 7 Recruitment of Independent persons (with final approval reserved to Full Council).</p>	Legal Services Manager or Monitoring Officer
<p>Localism Act 2011 District, Town or Parish Councillor complaints To consider and accept/reject complaints relating to a District, Town or Parish Councillor (or co-opted Member) To refer complaint to Town or Parish for consideration and resolution.</p>	Monitoring Officer or Deputy Monitoring Officer
<p>To re-direct complaints that are unrelated to Member Conduct to the appropriate complaints system of the Council/or other authority (including, where relevant, the Police).</p>	Monitoring Officer or Deputy Monitoring Officer
<p>To see to informally resolve a complaint relating to a District, Town or Parish Councillor (or co-opted Member) with a meeting, mediation or training.</p>	Monitoring Officer or Deputy Monitoring Officer
<p>Investigation of complaints against a District, Town or Parish Councillor (or co-opted Member), or appoint internal or external officers or parties to undertake this on their behalf, in accordance with the approved complaints handling procedure having consulted the Independent Person before such a decision is made.</p>	Monitoring Officer or Deputy Monitoring Officer
<p>Section 111 To effect insurance for all services of the Council and to make arrangements for claims on insurance companies and agree settlements.</p>	Financial Services Manager
<p>Section 151 To agree terms for the Council's banking arrangements.</p>	Financial Services Manager
<p>Authority to sign cheques.</p>	Director Support Services or Financial Services Manager or Principal Accountant
<p>Section 172 Management of the Council's loan debt and investments.</p>	Financial Services Manager
<p>Section 215</p>	Director Support Services or Legal

To accept onto the list closed churchyards.	Services Manager
Housing Benefits To determine and adjudicate in all cases of applications under the Hosing Benefits Scheme, including fixing rent limitations for rent allowances.	Financial Services Manager
Debts and Financial Claims To institute legal proceedings on behalf of the Council for the recovery of all debts and defence of all claims.	Legal Services Manager
To write off any individual debt which does not exceed £1,000, after consultation with the Head of Legal Services, to ensure that all action for recovery has been taken.	Financial Services Manager
To make ex gratia payments to complainants under the Council's complaints scheme or the Ombudsman Scheme.	Chief Executive or Financial Services Manager
To maintain Freedom of Information Act, Environmental Information Regulation and Data Protection Act Policies	Director Support Services or Legal Services Manager
Electoral Matters To act as Returning Officer or Acting Returning Officer, or other role as appropriate.	Chief Executive (or any officer so acting)
To act as Deputy Returning Officer in respect of: - Nominations - Postal Votes - Verification & Count - Accounts	Service Leads or Directors (or any officer appointed by Returning Officer as so acting)
To act as Electoral Registration Officer.	Chief Executive (or any officer so acting)
Representation of the People Regulations 1986 Section 29 To instigate prosecution proceedings in respect of two-year non-responders as instructed by the Electoral Registration Officer.	Legal Services Manager or Chief Executive
Local Government Act 2000 Section 92 To make payments where the authority is satisfied that there has been maladministration and that the person concerned has been adversely affected by such maladministration.	Chief Executive
Town and Country Planning Act 1990	

<p>Localism Act 2011 Neighbourhood Planning (General) Regulations 2012</p> <p>Regulation 6 and 7 - Neighbourhood Area Designation:</p> <ul style="list-style-type: none"> -Receive and validate application -Advertise application for six weeks -Consider representations and -make a recommendation <p>Determine applications that</p> <ul style="list-style-type: none"> - match Parish boundary - without objection <p>Publish decision</p>	<p>Strategic Planning Manager or Strategic Planning Officer</p> <p>Director Commercial & Corporate Services</p> <p>Strategic Planning Manager or Strategic Planning Officer</p>
<p>Section 3, Schedule 4B of the Localism Act 2011. Advice and assistance to the Parish Council</p>	<p>Strategic Planning Manager or Strategic Planning Officer</p>
<p>Regulation 14 – Initial Pre-submission six week consultation</p> <p>Supporting the parish council with their six week consultation on their draft Neighbourhood Plan</p> <p>Making any formal representations on the draft Neighbourhood Plan during that six week window</p>	<p>Strategic Planning Manager or Strategic Planning Officer</p>
<p>Regulation 16 - Submission of Neighbourhood Plan to the Council, and its publication for a further six week consultation</p> <ul style="list-style-type: none"> -Validate the submission documents -Publication and arranging of six week consultation -Making ECDC representations on the Neighbourhood Plan -Collating and summarising the responses received and send to examiner 	<p>Strategic Planning Manager or Strategic Planning Officer</p>
<p>Regulation 17 to 19 - examination</p> <p>Appointing an Inspector Arranging examination/hearing Appearing at hearing</p> <p>Consider the examiners report if the examiners recommendations are accepted in full;</p> <p>Deciding whether the neighbourhood plan should proceed to a referendum, having taken account of</p>	<p>Strategic Planning Manager or Strategic Planning Officer</p> <p>Director Commercial & Corporate Services</p> <p>Strategic Planning Manager or</p>

the examiners recommendations Publicising the examiner's report and the decision	Strategic Planning Officer
Neighbourhood Planning (Referendum) Regulations 2012 – referendum Arranging, advertising and all other aspects of managing the referendum process Publicise the results of the referendum	Democratic Services Manager
Regulation 20 – adopting a neighbourhood plan Publicise decision	Democratic Services Manager

CORPORATE GOVERNANCE & FINANCE HEARINGS SUB-COMMITTEE

1. Constitution

- 1.1 The Sub-Committee shall comprise of 7 Members of the Council, who shall be appointed annually by full Council from the full Membership, and up to 2 co-opted non-voting Town or Parish Councillors.
- 1.2 The Sub-Committee and any Panel quorum is 3 Members, with the attendance of the appointed Independent Person (lead or the deputy). Where the Panel considers a complaint against a Town or Parish Councillor, the Town or Parish co-optee must be in attendance at the Panel Hearing.

2. Objectives

- 2.1 To support the Corporate Governance & Finance Committee in its duty to promote and maintain high standards of Councillor conduct.

3. Terms of Reference

- 3.1 To appoint Hearing Panels for Stage 6 complaints handling comprising 3 elected Members, to consider a complaint against an East Cambridgeshire District, Town or Parish Councillor, where there is an allegation that the Councillor has failed, or may have failed, to comply with their Authority's Code of Conduct **and** the Monitoring Officer, or her Deputy or appointed investigator's report has concluded that there appears to have been a breach of their Authority's Code.
- 3.2 The Panel shall be appointed from the Sub-Committee membership, with an elected Member acting as a reserve Member. Such a Panel can be a combination of any of the Members of the Sub-Committee.
- 3.3 In holding a Stage 6 complaints hearing, the Panel:
 - 3.3.1 Will hold the hearing in public session, unless representations have been received from the complainant and/or the Councillor subject to the complaint, by the Monitoring Officer/Deputy Monitoring Officer not to do so, and there is a legal basis under the Local Government Act 1972 to hold in exempt session.
 - 3.3.2 May, with the consent of both the complainant and the Councillor subject to the complaint, consider this without the attendance of the parties (a "paper" hearing).
 - 3.3.3 May, if it considers it reasonable to do so, proceed with any hearing in the absence of one of the parties.
 - 3.3.4 Must ensure that this is conducted having regard to the hearings procedure and any government guidance, or guidance issued by the Monitoring Officer, Deputy Monitoring Officer or legal advisor.
 - 3.3.5 Must ensure that any Councillor that is subject to the complaint is given the opportunity to attend, and/or submit or present evidence and make representations, either orally or if the member chooses, in writing; and (b) either personally, or by legal representative, or with the Panel's consent, any other representative.

- 3.3.6 May arrange or agree to the attendance of such witnesses, as the Monitoring Officer, Deputy Monitoring Officer or investigator considers appropriate.
 - 3.3.7 May adjourn the hearing proceedings at any stage prior to the final determination of the complaint.
 - 3.3.8 Will allow the Councillor who is subject to the complaint to call such witnesses in support, subject to the Panel limiting the numbers of witnesses that a person may call, if it considers that the number the person proposes to call is unreasonable.
 - 3.3.9 Will seek and take into account the views of the Independent Person at the Panel Hearing *before* making its final determination on the matter.
 - 3.3.10 **[in cases where the complaint relates to a Town or Parish Councillor]** Will seek and take into account the views of the Town or Parish co-optee at the Panel Hearing *before* making its final determination on the matter.
 - 3.3.11 Will determine whether the Councillor subject to the complaint has breached their Authority's Code of Conduct and provide reasons for any decision.
- 3.4 If the Panel concludes that the Councillor subject to the complaint has breached their Authority's Code of Conduct, the Panel may confirm the following sanctions:
- 3.4.1 No action.
 - 3.4.2 That the Councillor be trained.
 - 3.4.3 That the Councillor be censured.
 - 3.4.4 That a recommendation is made to the District Council's full Council to censure the District Council.
 - 3.4.5 **[in the case where the complaint relates to a Town or Parish Councillor]** recommend to the Town or Parish Council that the Town or Parish Council censures the Councillor at a Town or Parish meeting.
- 3.5 To assist with good governance, if requested by Corporate Governance & Finance Committee.
- 4. Delegation to Officers**
- 4.1 The Monitoring Officer is authorised to act in relation to any matter of immediate urgency, which must be dealt with before the next meeting of the Committee provided the Chairman or Vic-Chairman of the Sub-Committee is consulted prior to delegated decisions being made.
 - 4.2 There shall be delegated to the Monitoring Officer, the exercise of any power or function of the Council in routine matters related to the implementation District, Town and Parish Councillor complaint procedures.

This delegation shall not be taken to include any matter reserved by law to the Finance and Governance Committee or the Full Council.

4.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council set out below:

To make arrangements for a Panel hearing including Members sitting on the Panel, and, where relevant, Town or Parish co-optees attendance	Democratic Services Manager or Democratic Services Officer
To make arrangements for the hearing to be held in exempt session , if representations are received and there is a legal basis for the exempt session under the Local Government Act 1972	Monitoring Officer or Deputy Monitoring Officer or Democratic Services Manager
To agree that a reserve Panel Member may substitute for one of the allotted Members at the hearing	Monitoring Officer or Deputy Monitoring Officer in her absence
To undertake any pre or post hearing preparation for the hearing including (although not limited to) notifying and requiring attendance of the complainant, the Councillor subject to the complaint and any witnesses	Monitoring Officer or Deputy Monitoring Officer
To undertake any post hearings decision training or instruct others (internally or externally) to do so	Monitoring Officer or Deputy Monitoring Officer

CORPORATE GOVERNANCE FINANCE HEARINGS SUB-COMMITTEE PANEL
HEARING PROCEDURE

The **Corporate Governance** Finance Hearings Sub-Committee Panel (“the Panel”) needs to have an efficient and effective hearing process to deal with any hearings regarding allegations that a Councillor has breached their Authority’s Code of Conduct. This will assist Members of the Panel to deal with all the issues that need to be resolved in a way that is fair to the Councillor that is subject of the allegation. This procedure is intended to encourage a consistent approach and promote and maintain high standards of Councillor conduct.

Interpretation

1. **“Complainant”** means the person who referred the formal complaint relating to the Councillor to the Monitoring Officer.

“Councillor”, includes a co-opted Councillor, means the Councillor (or former Councillor) of the authority who is the subject of the allegation being considered by the Panel, unless stated otherwise. This may be a Councillor (or former Councillor) of Council or a Town or Parish Council in the area. It also includes the Councillor’s (or former Councillor’s) nominated representative.

“Independent Person”, includes the lead or deputy person appointed by the District Authority under s28 Localism Act 2011.

“Investigator” means the Monitoring Officer, Deputy Monitoring Officer or any nominated internal or external investigator or their representative(s).

“Legal Adviser” means the officer responsible for providing legal advice to the Panel. This may be the Monitoring Officer, another legally qualified officer of the authority, or someone appointed for this purpose from outside the authority.

Representation

2. The Councillor may be represented or accompanied during the hearing by a Solicitor, Counsel or, with the permission of the Panel, another person.

Legal Advice

3. The Panel may take legal advice from its Legal Adviser at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the Panel will be shared with the Councillor and the Investigator if they are present.

Voting

4. Each Member of the Panel will have one vote, and all matters/issues will be decided by a simple majority of votes cast, with the Chair having a second or casting vote should that be needed. Abstentions will not be permitted.
5. The Independent person shall be consulted before any final determination, but will not be entitled to vote.
6. If the complaint relates to a Town or Parish Councillor, a co-opted Town or Parish representative will attend the hearing and shall be consulted by the Panel before any final determination, but will not be entitled to vote.

7. The Panel's decision will record whether it was unanimous or taken by a majority.

Quorum

8. The Proper (Democratic Services) Officer or his/her representative will confirm whether the Committee is quorate. A quorum for the Panel will be three elected Members of the authority. The Independent Person must be in attendance throughout the hearing and, where the matter involves an allegation of misconduct against a Town or Parish Councillor, a co-opted Town or Parish representative must be in attendance throughout the hearing. If the Monitoring Officer or Deputy Monitoring Officer has agreed that the reserve Member may substitute for the named Member on that Panel, then the Panel is then deemed to include that Member as part of the Panel with a right to come to a decision on the complaint and any sanctions.

Setting the Scene and Preliminary Procedural Issues

9. The Panel Members may consider the hearing as a "paper" hearing, in the absence of the Complainant or Councillor PROVIDING the Complainant or Councillor has agreed to this². In such situations the Investigator may or may not be in attendance, and any report prepared will be considered, together with any evidence or submissions made by the Complainant or Councillor. The Panel will confirm if they are going to consider this as a paper hearing and the reasons for doing so. If the Panel decides that it cannot proceed without the attendance of the Complainant or Councillor or Investigator, the hearing shall be adjourned to arrange attendance.
10. Where there is a hearing with parties in attendance, the Chairman will formally introduce those present, any apologies will be notified and the Chair of the Panel will explain how the Panel is going to handle the hearing.
11. The Panel will then resolve any issues, which may include (although not be limited to) confirming whether they can proceed in the absence [*which does not fall within the category of paper hearing*] of the Complainant or Councillor, or the absence of a witness who has been asked to attend; reasons for any substitutions; admission of late evidence (witness or documentary); the number of witnesses to be called; and any application for lay representation by the Councillor.
12. After dealing with any preliminary issues, the Panel will then move on to consider whether or not there are any significant disagreements about the facts contained in the Investigator's report.

Findings of fact and whether the Councillor fail to follow the Councillor's Authority Code of Conduct:

13. If there is no disagreement about the facts, the Panel can then move on to the next stage of the hearing.
14. If the Councillor disagrees with any relevant fact in the Investigator's report, without having given prior notice of the disagreement, he or she will be required to give good reasons for

² As per 3.3.2 of the Finance & Governance Sub-Committee terms of reference.

not mentioning it before the hearing. After considering the Councillor's explanation for not raising the issue at an earlier stage, the Panel may then:-

- a. allow the Councillor to make representations about the issue, and invite the Investigator to respond and call any witnesses, as necessary and such matters shall be taken into account when the Panel reaches its decision on the facts; or
 - b. postpone the hearing to arrange for appropriate witnesses to be present, or for the Investigator to be present if he or she is not already in attendance.
15. Where representations on the facts have been made (and have been disputed by the Councillor), the Panel may ask the Investigator (if present), or legal representative, to start by outlining the relevant facts (that are agreed and what disputed).
 16. If there is a disagreement, the Investigator, if present, will be invited to make any necessary representations to support the relevant findings of fact in the report. This may include representations on behalf of the Complainant where appropriate. Subject to any limitation set by the Panel under paragraph 11, the Investigator may call any relevant witnesses (including the Complainant) to give evidence.
 17. The Panel will give the Councillor an opportunity to challenge any evidence put forward by any witness called by the Investigator (directly or through the Chair). The Panel will also consider any verbal or written representations from the Investigator in relation to the alleged breach of the Code of Conduct.
 18. The Councillor will then be given the opportunity to make representations to support his or her version of the facts and reasons why he or she believes he or she has not, or has failed to follow the Code and (subject to any limitation set by the Panel under paragraph 11) to call any witnesses to give evidence.
 19. At any time, the Panel, Independent Person or Town/ Parish Representative may question any of the people involved (including the Complainant) or any of the witnesses, and may allow the Investigator (and the Complainant through the Chair) to challenge any evidence put forward by any witnesses.
 20. The Investigator and then Councillor will be invited to make any final relevant points on fact or the alleged failure to follow the Code.
 21. The Panel Members, Independent Person, any co-opted Town or Parish representative and Legal Advisor will then retire to another room to consider all the documentary and witness evidence and decide what the relevant facts were, followed by whether the Councillor failed to follow the Code of Conduct and reasons for the decision. The Panel shall seek the views of the Independent Person and co-opted Town or Parish representative present, and take these into account when reaching its decision.
 22. On the Panel's return, the Chair will announce the Panel's decision and reasons for its findings of fact and whether or not the Councillor has failed to follow his or her Authority's Code of Conduct. The decision will note any views expressed by the Independent Person and co-opted Town or Parish representative. *Even in the event that the Panel concludes that there has been no failure to follow the Councillor's Authority Code of Conduct, the Panel may still consider whether it should make any recommendations, which the Panel believes will promote and maintain high standards of conduct amongst Councillors or co-opted Councillors.*

If the Councillor has not failed to follow the Councillor's Authority Code of Conduct:

23. If the Panel decides that the Councillor has not failed to follow the Code of Conduct, the Panel will announce its decision and reasons.
24. If relevant, the Panel may make any recommendations to the Council or other relevant authority, with a view to promoting high standards of conduct amongst Councillors or co-opted Councillors.

If the Councillor has failed to follow the Councillor's Authority Code of Conduct:

25. If the Panel decides that the Councillor has failed to follow the Code of Conduct, it will consider any verbal or written representations from the Investigator and the Councillor as to:
 - a. whether or not the Panel should impose a sanction; and
 - c. what form any sanction should take.
26. The Panel may question the Investigator and Councillor, and take legal advice, to make sure they have the information they need in order to make an informed decision.
27. The Panel Members, Independent Person, any co-opted Town or Parish representative and Legal Advisor will then retire to another room to consider whether or not to impose a sanction on the Councillor and, if so, what the sanction should be and the reasons for the decision. The Panel shall seek the views of the Independent Person and co-opted Town or Parish representative present, and take these into account when reaching its decision. The Panel may also consider and make general recommendations to the District, Town or Parish Council, which they believe will promote and maintain high standards of conduct by Councillors or co-opted Councillors.

Sanctions relating to the Councillor:

28. The Panel may decide to:
 - a. Take no action.
 - b. Recommend that the Councillor undertake training and/ or
 - c. Censure the Councillor, and/ or
 - d. Recommend to the District Council that the District Councillor be subject to formal censure at Full Council.
 - e. Recommend to the Town or Parish Council that the Town or Parish Councillor be subject to formal censure at Town or Parish meeting.
29. On its return, the Chair will announce the Panel's decision and reasons.

The Written Decision

30. The Panel will announce its decision on breach of the Code and Sanctions on the day as detailed above and will produce a full written decision within 5 working days, which, unless held in exempt session, will be available on the District Council's website within 14 working days, together with any hearing minutes.

(iv) **ASSET DEVELOPMENT COMMITTEE**

1.0 **CONSTITUTION**

1.1 The Asset Development Committee shall comprise of 7 members of Council who shall be appointed by Full Council (from the full membership). Its quorum is 3.

2.0 **OBJECTIVES**

2.1 The oversight and maximisation of Council's assets:

- to achieve the Council's objectives and corporate priorities;
- to deliver the Council's Medium Term Financial Strategy

3.0 **TERMS OF REFERENCE**

3.1 The terms of reference of the Asset Development Committee shall be:

3.2 The purchase, disposal and development of the Council's assets, including land and buildings.

3.3 To monitor the Council's Asset Development Programme.

3.4 To approve and monitor the Council's asset maintenance programme.

3.5 To consider the asset development implications of contracts and agreements with third party service providers (prior to their adoption).

3.6 To identify opportunities for maximising asset development through effective partnerships.

4.0 **Delegation to Asset Development Committee**

4.1 Subject to the provisions of the Council's Constitution, the Committee has delegated authority to act on behalf of the Council in relation to the above, unless

- reserved to Council; and
- delegated to officers under these or the other Committee terms of reference.

5.0 **Delegation to Officers**

5.1 The Chief Executive or Directors or appropriate Service Lead, are authorised to act in relation to any matter of immediate urgency, which must be dealt with before the next meeting of the Committee provided:

- the Chairman or Vice-Chairman of the Committee is consulted prior to the delegated decisions being made;
- the appropriate Service Delivery Champion is consulted prior to the delegated decisions being made;
- spokespersons of minority groups are notified immediately of any action taken under this delegated power;
- action taken is reported to the next Committee; and

- it excludes any decision, which is by law expressly vested in the Council.

5.2 There shall be delegated to the Chief Executive or Directors or appropriate Service Lead, the exercise of any power or function of the Council in routine matters related to the implementation of agreed Strategies, Policies and programmes, falling within established policies and procedures and within existing budgets.

For the avoidance of doubt this delegation shall include the power to authorise others to exercise such powers.

This delegation shall not be taken to include any matter reserved to Full Council.

5.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters set out below (whether Policy approval, monitoring or operational matters have been delegated to a Sub-Committee or not) under the Listed Acts or any amendment, modification or re- enactment of those Acts, or Regulations/Orders made under those Acts:

<p>Landlord and Tenant Act 1954 Service of all notices in connection with renewal of tenancies under the Act.</p>	<p>Legal Services Manager or Financial Services Manager</p>
<p>Land Compensation Act 1973 Sections 29, 33 and 37 To approve applications for disturbance payments and removal expenses, and to approve applications for home loss payments.</p>	<p>Chief Executive or Financial Services Manager</p>
<p>Local Government Act 1972 Section 111 To arrange negotiations for the acquisition of land which it is anticipated will be required to meet the Council's Forward Capital Programme.</p>	<p>Financial Services Manager & Legal Services Manager</p>
<p>Local Government (Miscellaneous Provisions) Act 1976 Section 16 The service of requisitions for information as to the ownership of property.</p>	<p>Legal Services Manager or Environmental Services Manager or Planning Manager or Director Regulatory Services</p>
<p>Town and Country Planning Act 1990 Town and Country Planning (General) Regulations 1976 The making of applications for deemed consent for authorised development to be carried out by the Council or in respect of land, which the Council may wish to dispose of with the benefit of planning permission.</p>	<p>Chief Executive or Director Regulatory Services</p>

<p>Property Issues To approve or refuse requests to dispose of, or lease land identified as suitable for disposal subject to valuation by the District Valuer or any other independent valuer, and arrange wayleaves, easement and licences in accordance with the Council's policy and regular review of landholdings (Safeguard: local members to be consulted).</p>	Chief Executive or Legal Services Manager
<p>To act in the purchase of suitable properties subject to prices being within an appropriate independent valuation, and after consultation with the Chairman of this Committee.</p>	Financial Services Manager or Legal Services Manager
<p>To sign wayleave agreements affecting property held by the Council.</p>	Legal Services Manager or Financial Services Manager
<p>To effect the discharge of land charges and releases of covenants in conveyancing of property by the Council or its predecessors (at an independent valuation where appropriate).</p>	Legal Services Manager or Financial Services Manager
<p>To enter into licences and arrange for rents and licence acknowledgement for small parcels of land to be reviewed.</p>	Legal Services Manager or Chief Executive
<p>To take all necessary steps to enter into options on land or property, in consultation with the Chairman or Vice-Chairman of Committee, prior to formal approval by Committee.</p>	Legal Services Manager or Financial Services Manager or Assistant Director (Support Services)
<p>Unauthorised Vehicular Accesses To deal with vehicular accesses throughout the District by way of Licence or a Deed of Grant of Easement, or, if this is not possible, by the siting of bollards to prevent vehicular access.</p>	Legal Services Manager or Financial Services Manager
<p>Proceedings against Trespass on Council Land To commence court proceedings in any case of trespass on Council-owned property.</p>	Legal Services Manager or Assistant Director (Support Services)
<p>Proceedings against tenants and licensees To commence court proceedings against tenants or licensees of the property for non-compliance with conditions of tenancy.</p>	Legal Services Manager or Assistant Director (Support Services)