

ARTICLE 12 - DECISION MAKING

12.01 Responsibility for decision making

The Council will issue and keep up to date a record of what Committees, sub-committees, and Officers have responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of the Constitution. If there is a conflict between Part 3 and any other part of this Constitution as to delegations and responsibilities, Part 3 will prevail.

12.02 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

PRINCIPLES OF DECISION MAKING

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from Officers;
- (c) respect for human rights;
- (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes.

12.03 Decision making by Council bodies acting as Tribunals

The Council, a Committee, or an Officer acting as a tribunal or in a quasi judicial manner will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention of Human Rights. The same applies when the decision maker is determining the civil rights and obligations, or the criminal responsibility, of any person.

PART 3

Responsibility for Functions

Last revised April 2014

COMMITTEE RESPONSIBILITIES

The table on the next pages shows the responsibilities allocated to each Committee. The Scheme of Delegation which follows identifies those which must be the subject of recommendation to the full Council and those which the Committee may decide itself. The table and Scheme must be read subject to the General Note (paragraph 1) and Standard Duties (paragraph 2) below.

Member Working Groups are not Committees and have no decision-making powers, but can fulfil an important research and advisory function. They should be constituted in accordance with the protocol set out in paragraph 3 below.

The Constitution uses the phrase "delegated function" to refer to a function which may be exercised by a Committee, Sub-Committee or Officer.

1. GENERAL NOTE

- 1.1 Notwithstanding anything else in this document, if a particular matter or project falls under the Terms of Reference of more than one Committee, the Council may designate one Committee as the "lead" Committee for that subject. The lead Committee shall then have all the powers and functions of other relevant Committees in relation to that subject. It may also if it wishes refer any aspects of the matter to another appropriate Committee for decision, recommendation to Council, or comment to the lead Committee. (See also 1.4 below).
- 1.2 No Committee or Sub-Committee or Officer shall take any action requiring expenditure unless suitable budgetary provision has been approved.
- 1.3 Decisions on the matters set out in Article 4, or asterisked in the Scheme of Delegation, are reserved to the Council, and the role of each Committee in such matters is to make appropriate recommendations to the Council. However, if it is lawful for a Committee to take the decision, and if in the opinion of the Chairman (or the person presiding at the Meeting of the Committee in question) a decision on the matter is needed so urgently that it cannot reasonably be delayed until the next Meeting of the Council, the matter in question shall become a delegated function for the purposes of that decision only.
- 1.4 If at least thirty per cent of the full number of voting Members of a Committee so request at any time before the vote is taken, the decision on a particular item of business before the Committee shall be referred to the full Council even though it is normally a delegated function. This will not prevent the Committee from debating the matter and making a recommendation.

Such a request cannot be made if:

- the item has been identified on the written agenda as the subject of an urgently needed decision and the Chairman's agreement under 1.3 above; or
 - the delay caused by referring the decision to the Council will lead to breach of a legislative or contractual deadline; or
 - the Chairman of the meeting is satisfied, having consulted any or all of the Chief Executive, Monitoring Officer, Chief Financial Officer, and other appropriate and available staff, that the Council's interests will be substantially prejudiced by the delay.
- 1.5 Committees shall not appoint sub-committees except with the agreement of the full Council, which must have regard to regulations and the Secretary of State's guidance concerning the appointment of sub-committees.
 - 1.6 Decisions of Committees or Sub-Committees taken in the exercise of delegated functions are the decisions of the Council for all purposes, unless rescinded in accordance with Standing Orders. For most decisions there will be a four working day delay before they can be implemented, to allow the Overview and Scrutiny Select Committee the right of call-in under Standing Order 27.8 (in Part 4 of this Constitution).

- 1.7 Decisions taken by Officers in the exercise of delegated functions are the decisions of the Council for all purposes unless rescinded in accordance with Standing Orders.
- 1.8 Where a function delegated to an Officer requires consultation or agreement with the Chairman of a Committee, and the Chairman is absent, that function may be fulfilled by his Vice-Chairman, or in his absence the Chairman of Corporate Management Committee (or if absent the Vice-Chairman), unless a different rule is given in the note of delegation.

2. STANDARD DUTIES

Each Committee has the following standard functions and authority:-

- 2.1 To set objectives and quality standards for the efficient provision of services within the Committee's Terms of Reference;
- 2.2 To set a realistic programme to achieve the objectives and standards mentioned in 2.1 above and to examine performance against the programmes and estimates from time to time adopted by the Council;
- 2.3 To determine the content of any representations to be made to central Government departments, Local Authority Associations, Members of Parliament, and any national body or organisation, regarding current or proposed legislation or policy relating to matters within the Committee's Terms of Reference; save that representations on technical or procedural points may be made by the appropriate Chief Officer or as provided within the Scheme of Delegation.
- 2.4 The approval of capital schemes for which estimate provision has already been approved;
- 2.5 To make recommendations to the Corporate Management Committee regarding the necessity for the compulsory purchase of land for any function within the Committee's Terms of Reference;
- 2.6 To make nominations or appointments to any body whose functions touch and concern the Committee's terms of reference. The Corporate Management Committee, however, has authority to make any nomination or appointment it considers appropriate.

3. MEMBER WORKING GROUPS

- 3.1 Any Committee or Sub-Committee can authorise the creation of a working group for specific advisory purposes.
- 3.2 The Committee or Sub-Committee should define the remit of the working group, the time for which it is expected to operate, and whether it is to comprise a specific political mix.
- 3.3 The Committee or Sub-Committee which sets up a working group may nominate Members to it, but political group leaders may appoint so far as the Committee or Sub-Committee does not do so, and may in any event change the appointed members of their groups from time to time.
- 3.4 Working groups may request papers and advice from the relevant Officers but authority must exist for the use of resources involved. Officers may seek instructions and authority from the appropriate Committee or Sub-Committee if it appears that the level of resource necessary may not be within authorised limits.
- 3.5 Working groups should normally arrange to have present at least one Officer with relevant responsibilities. An Officer present at each meeting should produce a note of the working group's deliberations and advice, for report to the relevant Committee or Sub-Committee and to assist future meetings. Such a note should be clear and comprehensible but need not follow any set format although the more complex and significant the subject matter, the more likely it is that something in the style of a Committee Minute may be needed.
- 3.6 The views of a working group are advisory only, and Officers may not act upon them without the authority of the relevant Committee, Sub-Committee, or authorised Officer.
- 3.7 In all publicity and communications with members of the public, it must be made clear that the responsibility for the relevant decisions lies with the relevant Committee, Sub-Committee, or authorised Officer.

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
1. Corporate Management	Ten Members of the Council	<p>1.1 The documents, policies and decisions comprised within the Policy Framework, so far as not within the terms of reference of any other Committee.</p> <p>1.2 Corporate Organisation and structure, including the Constitution.</p> <p>1.3 Any matter not within the terms of reference of another policy Committee.</p> <p>1.4 Management of the Council's financial strategy, affairs and functions, including collection and administration of local taxation</p> <p>1.5 Economic Development</p> <p>1.6 The Runnymede Business Partnership, and relationships with Chambers of Commerce and other organisations relevant to the economic well-being of the Borough.</p> <p>1.7 Asset Management Planning Strategy and property reviews.</p> <p>1.8 Purchase, management and disposal of real property including the Council's Offices and Depots. (Note: other Committees may have management responsibilities restricted to service purposes).</p> <p>1.9 DSO Vehicles</p> <p>1.10 Town centre and other regeneration or improvement schemes promoted by the Council other than as housing authority.</p> <p>1.11 Exercise of the Council's powers as Trustee of any land held by the Council in trust for purposes within the Committee's remit, through a Management Committee where appointed.</p> <p>1.12 Electoral matters.</p>

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
	<p>External Appointments Sub-Committee (6 Members)</p> <p>Property Sub-Committee (6 Members)</p>	<p>1.13 Staffing organisation and establishment, and all human resources matters.</p> <p>1.14 The procurement and use of information and communications technology</p> <p>1.15 Central professional and administrative services</p> <p>1.16 Insurance</p> <p>1.17 Equality Policy</p> <p>1.18 Community Right to Challenge and Community Right to Bid for Assets of Community Value</p> <p>1.19 General administrative matters.</p> <p>1.20 Appointment and nominations to any outside bodies (if no appointment is made by another Committee under para 2.6 of the list of Standard Duties).</p> <p>1.21 If urgent, and with the consent of the Chairman of that Committee, to exercise any function of another policy committee.</p> <p>To make appointments and nominations to any outside body.</p> <p>a) to give advance consideration to proposals for property dealings under the Asset Management Plan;</p> <p>b) to act as a consultative forum for ad hoc property opportunities;</p> <p>c) to offer guidance on the working up of strategy and proposals in property matters for presentation to Corporate Management Committee and specifically to offer guidance to Officers in respect of any potential property matters that may have particular political impact/sensitivity;</p> <p>d) to monitor the annual review of and delivery of the Asset Management Plan;</p> <p>e) to oversee the town centre regeneration schemes; and</p> <p>f) to make any necessary recommendations to the Corporate Management Committee on property transactions.</p>

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
2. Environment & Sustainability	Ten Members of the Council	<p>2.1 Pollution control, environmental protection, and statutory nuisances (other than control of private housing standards).</p> <p>2.2 Food legislation.</p> <p>2.3 Public health functions.</p> <p>2.4 Refuse collection.</p> <p>2.5 Recycling of waste.</p> <p>2.6 Energy management (other than in Council homes).</p> <p>2.7 Sustainability and climate change Strategy and Policy.</p> <p>2.8 The provision and management of parking, and the fixing of parking charges. Decriminalised parking enforcement.</p> <p>2.9 Street trading.</p> <p>2.10 All highways functions exercisable by the Council.</p> <p>2.11 Amenity management and maintenance on highways and public spaces, other than parks and Council open spaces.</p> <p>2.12 Street naming and numbering.</p> <p>2.13 All land drainage functions exercisable by the Council</p> <p>2.14 Runnymede Travel Initiative eg Yellow Bus Project.</p>
3. Housing	Ten Members of the Council	<p>3.1 Provision, assistance, or procurement of Council, social, and affordable housing (except functions under the Planning Acts), and the making of recommendations to Corporate Management Committee for any property acquisition or disposal to achieve these objectives.</p> <p>3.2 Management of Council housing, including energy management.</p> <p>3.3 Homelessness Strategy and Temporary Accommodation.</p>

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
		<p>3.4 Sale of Council houses.</p> <p>3.5 Private housing standards (including control of houses in multiple occupation) and grants.</p> <p>3.6 Private Sector Renewal Strategy.</p> <p>3.7 Exercise of the Council's powers as Trustee of any land held by the Council in trust for purposes within the Committee's remit, through a Management Committee where appointed.</p> <p>3.8 HRA Business Plan</p> <p>3.9 Housing Capital Programme</p> <p>3.10 Tenant Strategy and Policy</p> <p>3.11 Housing and Council Tax benefits.</p> <p>3.12 Disabled Facilities Grants.</p>
4. Community Services	Ten Members of the Council	<p>4.1 Provision and management of all the Council's indoor and outdoor sporting, leisure and recreational facilities (including allotments) and events, and the making of recommendations to Corporate Management Committee for any property acquisition or disposal to achieve these objectives.</p> <p>4.2 Services for older persons, including Community Meals services, Community Alarm/Careline system, Day Centres, and Community Transport, and the making of recommendations to Corporate Management Committee for any property acquisition or disposal to achieve these objectives.</p> <p>4.3 Services and activities for youth and children including Splash and playschemes, Youth Council, and Youth Festival.</p> <p>4.4 Other personally based services provided by the Council.</p>

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
		<p>4.5 Relations with the local Leisure Trust, Community Foundation for Surrey, and other bodies working in partnership with the Council or in its area on matters within the Committee's terms of reference.</p> <p>4.6 Appointment of Trustees to Leisure Trust</p> <p>4.7 Grounds Maintenance</p> <p>4.8 Chertsey Museum.</p> <p>4.9 Support and development of sports, the Arts and other leisure activities in the Borough.</p> <p>4.10 Tourism.</p> <p>4.11 Relationships with the Third Sector</p> <p>4.12 Grant Aid not expressly delegated to another Committee.</p> <p>4.13 Equalities issues (other than in relation to staff employment by the authority) and liaison with local bodies concerned with such issues.</p> <p>4.14 Consultations on health service provision.</p> <p>4.15 Cemeteries, crematoria and closed churchyards.</p> <p>4.16 Burials and cremations which are the Council's responsibility.</p> <p>4.17 Exercise of the Council's powers as Trustee of any land held by the Council in trust for purposes within the Committee's remit, through a Management Committee where appointed.</p> <p>4.18 Community Safety including Safer Runnymede</p>
5. Planning	Fifteen Members of the Council	5.1 All functions under the Planning Acts or any other function of the Council as Local Planning Authority except property management, acquisition and disposal.

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
		<p>5.2 Transportation planning issues</p> <p>5.3 Building Control and dangerous and dilapidated buildings and structures.</p> <p>5.4 Car parking standards and general strategy, but not provision or management of specific parking, or car park charges.</p> <p>5.5 High hedges under part 8 Anti-Social Behaviour Act 2003.</p>
6. Licensing	<p>Ten Members of the Council</p> <p>(The Committee may form Sub-Committees for discharge of any of its functions)</p>	<p>6.1 All matters relating to the discharge by the Council of its licensing functions under the Licensing Act 2003.</p> <p>6.2 All functions of the authority which relate to licensing functions under the Licensing Act 2003, but are not licensing functions.</p> <p>6.3 Any non-licensing matter which is referred to the Licensing Committee under Section 7 (5) (b) of the Licensing Act 2003, subject (except in cases of urgency) to consideration of the report of any of the authority's other Committees which have responsibility for the matter concerned.</p>
7. Regulatory	Five Members of the Licensing Committee	<p>7.1 All licensing and registration functions of the Council which are neither within the terms of reference of the Licensing Committee nor committed to any other Committee.</p> <p>7.2 Busking and Street Entertainment Policy.</p> <p>7.3 Gambling Act 2005.</p> <p>7.4 Public Charitable Collections.</p>
8. Englefield Green	<p>The Members of the Council for Englefield Green East and West Wards, together with the Mayor and Deputy Mayor (if lawful) and two Community representatives.</p>	<p>a) To make recommendations to the Council on annual and capital expenditure on the land known as Englefield Green leased from the Crown.</p> <p>b) To exercise the Council's powers and duties on all other matters relating to Englefield Green under the Crown lease.</p>

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
9. Standards and Audit Committee	Ten Members of the Authority	The functions set out in Article 8 of this Constitution.
10. Crime and Disorder Committee	The same as the Overview and Scrutiny Select Committee	The functions given to the Committee under section 19 and Schedule 8 of the Police and Justice Act 2006, including review or scrutiny of action taken by responsible authorities exercising crime and disorder functions and power to make reports thereon to the Council; For the avoidance of doubt these matters will normally include the Community Safety Strategy and the Safer Runnymede initiative
11. Overview & Scrutiny Select Committee	Nine Members of the Authority	The functions set out in Article 6 of this Constitution
12. All Committees		Any licensing matter referred to the Committee under Section 7 (5) (a) of the Licensing Act 2003, subject except in cases of urgency to consideration of a report from the Licensing Committee.

JOINT COMMITTEES

Joint Committee for the oversight of delivery of Surrey Public Authority Services (“Surrey First”)	One Member appointed by Runnymede Borough Council to Joint Committee comprising the Surrey local authorities and the Surrey Police Authority.	<ul style="list-style-type: none"> • oversee joint working arrangements of the Authorities; • promote good working practice amongst the Authorities; • appoint such task groups or sub-committees as it considers necessary; • identify the range of services for inclusion in a Joint Venture Company (“JVC”); • approve the draft Articles and Memorandum of Association of the JVC; • approve the draft revised Terms of Reference for the Joint Committee to provide for governance and oversight of the JVC, and manage the project budget.
Surrey Police and Crime Panel	One Member appointed by Runnymede Borough Council to Joint Committee comprising the Surrey local authorities and two Independent Members.	Functions as set out in the Police Reform and Social Responsibility Act 2011.

SCHEME OF DELEGATION

INTRODUCTION AND GENERAL OFFICER POWERS

Concept and Layout of the Scheme

- The Schedule starting on page 40 is the prime component of the Scheme. It defines the functions which must be exercised at Committee level, or be recommended to Council.
- Functions not listed for Council or Committee may be exercised by the Officer (or Officers) identified from Annex 1.
- There are some specific delegations identified in Annexe 2 which will be exercised by Officer(s) specified.
- Where under this Scheme a function may be exercised by an identified Officer, the function may also be exercised by any Officer on the identified Officer's staff acting within arrangements authorised by the identified Officer. The Council authorises such Officers to act accordingly.
- Annexe 3 sets out guidance to Officers for informing and consulting Members, and requires specific consultation for some functions. The Schedule and Annexe 2 are subject to Annexe 3. However consultation or agreement with others is only a prerequisite for the exercise of the function if expressly mentioned in Annexe 1 or 2.
- Annexe 4 sets out the Council's general Consultation Strategy as a matter of guidance to Committees, Sub-Committees, and Officers.

Use of the Scheme

If a decision includes any matter which is a Committee responsibility it must be taken by the Committee and not by an Officer.

An Officer may ask Committee to decide any matter, even if he or she has the power, if he or she considers it appropriate on the basis of political or public interest, or for any other reason. He or she should also refer a matter to Committee if there is any doubt as to whether it is within the range of functions committed to Officers.

Committees may delegate additional specific matters to Officers, and with the approval of Council may reserve additional matters to themselves.

Officers must bear in mind the possible need to inform or consult Members, as described in Annexe 3, and the general Consultation Strategy.

Information reports

Committees may decide what reports they want from Officers on the exercise of delegated functions. In any case, Officers must report at suitable intervals on the progress of projects or other action initiated by the Committee.

Definitions

In this Scheme, "policy" or "policies" refers to matters of general principle for exercising a function, the setting of conditions or limitations on the way in which it is to be exercised, the setting of matters to be taken into account in exercising it, and the setting of particular objectives and/or targets for its exercise. These expressions do not include the making of decisions on individual matters within whatever criteria are set.

If any decision raises a new issue of policy, the Officer concerned must make a report to the appropriate Committee and ask it to consider the policy before taking the decision, with Council approval if necessary.

Officers' general powers and duties

To avoid any doubt, provided budgetary provision is available, Officers are instructed and authorised to:

- Do all things necessary to manage the Council's finances and property in accordance with the law and Council policy (including Financial Regulations);
- Do all things necessary to manage the Council's staff in order to discharge the Council's functions, in accordance with the law and Council policy;
- Do all things necessary to conduct the Council's office administration efficiently, in accordance with the law and Council policy;
- Do all things necessary to maintain the Council's property and equipment in accordance with the law and Council Policy;
- Take any administrative or practical step necessary for the implementation of any Council or Committee decision;
- Alter fees and charges within a financial year, notwithstanding the fact that they might have been approved with the budget, to respond to market conditions, changes in tax or other legislation, or for other sufficient cause, provided that no adverse budgetary consequences are anticipated). For the avoidance of doubt this includes power to set promotional prices and incentives.
- Respond to any matter (except development proposals) on which the Council is consulted and which does not raise any new issues of policy;
- Exercise any power or duty of the Council to take action for the safety, health or protection of people or property;
- Serve notices exercising statutory powers or duties, in accordance with any relevant Council policy, as the need may arise (unless listed below for a Committee);
- Respond or serve counter-notice to any formal notice served on the Council;
- Enter into contracts as necessary to implement the Council's agreed decisions and policies, subject to budgetary provision and provided the contract raises no new issues of principle. Except as provided in Standing Orders for Contracts, this function is exercisable only by the Corporate Head of Law and Governance, subject to appropriate discussion with staff of other departments.
- Recover costs, debts, or other money due to the Council where the Council is authorised to do so under any enactment, provided that the Chief Officer of the service involved considers it reasonable to do so;
- Take and defend legal proceedings where necessary to protect the Council's interests, recover money or compensation due to the Council, or enforce a regulatory power within Council policy, provided the Corporate Head of Law and Governance believes that there is a good chance of success, and save that if the Council's own costs of the action are likely to exceed five thousand pounds, specific authority must be obtained. This authority includes any proceedings of any description in any Court. Proceedings may be settled or compromised without Committee authority provided that the total cost to the Council does not exceed five thousand pounds.
- The Corporate Heads of IT and Finance and Law and Governance are authorised under Section 223 of the Local Government Act 1972 to authorise such named Officers as they see fit to take proceedings in the Magistrates' Court to recover Council Tax and National Non-Domestic Rates.
- Administer formal cautions within any guidelines approved by the Council;
- Serve notice requiring information where required for any Council function.

If there is a conflict between this list and the Schedule, this list prevails.

SCHEDULE

MATTERS RESERVED TO COMMITTEE OR COUNCIL

The purpose of this Schedule is to define what has to be decided at Member level. It is not to define the Committees' terms of reference, which may be wider than the matters listed below. The Terms of Reference are set out in an earlier section, starting on page 31.

The following functions must normally be handled by Committee, Sub-Committee, or Council. The Terms of Reference set out earlier indicate which Committee or Sub-Committee has responsibility. Most matters can be dealt with by the appropriate Committee or Sub-Committee. Under the Constitution, there are some matters in which full Council must normally take the decision. As a guide only, the asterisks below are intended to identify these.

To avoid doubt, any function delegated to an Officer in the Scheme of Delegation to Officers dated January 1998, as amended from time to time, is still exercisable by the appropriate Officer ascertained from this Constitution.

General

- Any matter reserved to the full Council by Article 4 of the Constitution;*one of the effects of this is that full Council must consider matters of policy going beyond the terms of reference of a single committee;
- The setting of charges for the exercise of any function (except as listed above under "Officers' General Powers and Duties");
- Any matter where the law states that Committee/Council must make the decision;
- Financial or business planning for any function.
- The setting of policy, subject to any specific delegation to Officers

Specific functions

Staff

- Any reduction of the permanent staff establishment, whether by reference to numbers or cost, and whether in part or in whole*, save that DSO manager in consultation with their Chief Officers (and where relevant any Officer Steering Group for that DSO) have authority to vary their establishments provided that costs can be met within existing budgets or contract sums.
- The corporate management structure*.
- Pay Policy statement*

Finance

- Approval of revenue estimates and annual budget* (but not including the Council Tax base).
- Approval of Capital Programme* and Capital Estimates (delegated to Corporate Management Committee) (as a general principle, the Corporate Management Committee will approve a capital estimate only when it is content to authorise a project to proceed, though the Council may earlier have included the proposal in the capital programme).
- Revenue and capital expenditure forecasts.
- Financial Regulations*.
- General financial management policy
- Approval of supplementary estimates (must go to full Council above value set in Financial Regulations).

- Treasury Management Strategy* and Treasury Annual Report*
- Financial Forecast*
- Statement of Accounts
- Virements within limits specified in Financial Regulations
- Variations to capital programme (must go to full Council above value set in Financial Regulations. Variations below this limit and changes in project timescales may be agreed by Corporate Management Committee).
- Borrowing limits*.
- Discretionary rating relief (but apportionments of rateable value of partially unoccupied property are delegated to the Corporate Head of Finance and IT).
- The writing off of debts exceeding £5,000 for any one matter.
- The charge to be made for any service, so far as not delegated to an Officer (as to which see above under “Officers’ General Powers and Duties”)
- Members Allowances and appointment of Independent Remuneration Panel*

Real Property

- All acquisitions
- Disposals or the granting of rights at a once-off consideration exceeding ten thousand pounds in value, or a rental/periodic payment exceeding twenty-five thousand pounds a year, except sales of Council Houses and DIYSO properties.
- Renewal of leases, whether to or from the Council, for a term exceeding three years, unless compelled by statute.
- Agreement of new rents, (but not rent reviews, which may be determined by the appropriate Officer), or periodic payments for rights, to a value exceeding twenty five thousand pounds a year, whether payable to or by the Council.
- The form of any proposed development or redevelopment of Council land.
- Deciding or changing the purpose for which a particular property is to be held.

General administration

- Corporate organisation and structure, including Terms of Reference of Committees and Calendar of Meetings*.
- Information Systems Strategy and Information and Communication Strategy.
- Procurement or replacement of IT equipment and software exceeding £10,000 in value.
- Replacement of CCTV and other Safer Runnymede equipment if the value expended exceeds the remaining balance of contributions to the Equipment Replacement Reserve.
- Procurement of goods, works, or services where Standing Orders require a Committee report.
- Making and amendment of Standing Orders*, except where necessary only for legal compliance.
- Response to Government and other consultations involving new issues of policy.

- Any function exercisable by the Council as Trustee, if it would be a Committee matter for a function exercisable in the Council's own right.
- Risk Management Policy & Strategy

Grant aid

- The award of Grant Aid of any description exceeding £10,000 in value in one financial year.

Council, social, and affordable housing

- The Housing Revenue Account Business Plan, Asset Management Strategy and Housing Strategy Statement.
- The formulation of initiatives to meet affordable housing targets.
- Rents and rent policy.
- Scheme for the allocation of Housing accommodation and the determination of priorities between individuals and groups, but not the making of minor amendments
- Programmes for improvement of Council housing stock.
- Strategies for housing and assisting the homeless.
- New build.
- The approval of projects to be undertaken with other bodies

Community Services

- Provision of new land or premises.
- Improvement of facilities to a cost greater than £10,000.

Matters relating to Highways

- Comment on County Highways policy.
- Approval of input to Local Transport Plan, and funding bids relating to it.
- Comment on schemes of the County Council or DETR when consulted.
- Control of trading on the highway, except enforcement.

All other highway-related functions may be exercised by Officers, subject to any special conditions set

Car Parks

- Car park provision and the making and amendment of off-street parking places orders, except consolidation orders.

Drainage

- Approval of land drainage improvement schemes where the cost exceeds £10,000

Leisure Services

- Provision of new premises, land, parks or open spaces.
- Improvement of facilities to a cost greater than £10,000.

Appointments

- Power to make and revoke appointments to any body or partnership or joint working Group as envisaged by Article 10 in connection with the discharge of any function unless specifically delegated to Officers.

Waste Management

- Waste Management Action Plan

Audit

- Annual report on Internal Audit

Licensing and Registration

- Note: by statute, the Licensing Committee has exclusive responsibility for licensing matters under the Licensing Act 2003. Any delegations to sub-committees or Officers are for that Committee alone and are set out in the Council's Licensing Policy. In the event of any conflict on 2003 Act licensing matters with the provisions below, the Licensing Policy prevails.
- Approval of standard licence or registration conditions and procedures for any matter under the relevant Committee's Terms of Reference. (Note: this does not prevent the appropriate Committee or Officer from varying such conditions or imposing special conditions where they see fit on individual cases.
- The determination of licensing or other applications requiring a hearing by virtue either of legal requirements or of any procedure adopted by the authority.
- Licensing Policy*
- Gambling Policy*
- Taxi Policy

Elections

- Appointment of an Electoral Registration Officer*
- Appointment of a Returning Officer for Local Government Elections*
- Representations to Local Government Commission or Boundary Commission and comment on proposals affecting electoral areas.
- Approval of Polling Districts and Polling Places (except in case of emergency).
- Changes in rates of pay for Presiding Officers and Poll Clerks in Local Government Elections outside the annual cost of living settlement.

Name and status of area and individuals

- Power to change the name of a district*
- Power to confer the title of honorary alderman or to admit a person as honorary freeman*

Miscellaneous Statutory and Regulatory Functions

- Application of Schedule 2 to the Noise and Statutory Nuisance Act 1993 to the area
- Power to make, amend, revoke or re-enact bylaws under any legislation*
- The adoption of standards for houses in multiple occupation (but not their waiver or amendment in individual cases)
- Power to promote or oppose local or personal Bills*
- The determination of appeals against decisions made by or on behalf of the authority, unless specifically delegated to Officers
- Functions in relation to the Local Government Pension Scheme, including functions relating to the award of discretionary payments in cases of redundancy, etc.
- Power to make closing orders with respect to premises where meals or refreshments are supplied for consumption off the premises
- Duty to approve authority's statement of accounts, income and expenditure and balance sheet

Standards and Audit Committee

The whole of the Committee's functions except for those matters expressly delegated to the Monitoring Officer.

Crime and Disorder Committee – explanatory note

The Committee has no power to determine action and must make recommendations to Council, but Council may authorise Officers to exercise Crime and Disorder functions as it chooses.

Englefield Green Committee

The whole of the Committee's functions except the following matters, delegated to Officers:

- Grounds maintenance issues (such as grass cutting, litter clearance and road repairs)
- Replacement of existing furniture and fittings (Bins, signage, benches, etc.)
- The erection of new small scale signage
- Play equipment maintenance
- Tree and woodland management
- Routine maintenance and repairs

Planning

1.1 All Planning Decisions* are delegated to the Business Centre Manager (Planning) except in the following circumstances:

Decisions reserved to the Planning Committee:

1.2 All applications required to be referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009;

1.3 All applications to which any Member requests of the Assistant Chief Executive Environment, providing a written reason, within 28 days of the registration of the application;

- 1.4 All applications which are likely to have significant implications, in the opinion of the Assistant Chief Executive Environment;
- 1.5 All applications which are recommended for approval and that seek planning permission for 1,000 square metres or more of new non-residential floor area or for six or more new dwellings;
- 1.6 All applications which are recommended for approval but on which an objection has been received from a statutory consultee, which has not been resolved by negotiation or through the imposition of conditions;
- 1.7 All applications submitted by, or on behalf of, a Councillor of the Authority (or their spouse/civil partner or a person with whom they are living as spouse/civil partner), or by any member of the Council's staff (or their spouse/civil partner or a person with whom they are living as spouse/civil partner):
- 1.8 All applications, except 'Householder applications', submitted by or on behalf of the Council for its own developments or on land where the Council is the land owner;
- 1.9 All applications which are recommended for approval where objections have been received from more than two parties**, except in the case of applications for certificates of lawfulness.

**For this purpose objections received from different members of the same household or address shall count as coming from a single party.

- 1.10 The making of Directions restricting permitted development under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order which revokes and re-enacts that Order.
- 1.11 The making of Local Development Orders under the Town and Country Planning Act.
- 1.12 All necessary approvals for the Compulsory Purchase of land under the Town and Country Planning Act and determinations as to whether to appropriate land for planning purposes, or dispose of such land held for planning purposes under section 232 and 233 of the Act.
- 1.13 The adoption of documents as part of the Development Plan, including any Development Plan Documents and Supplementary Planning Documents.

*For the avoidance of doubt Planning Decisions include, but are not limited to:

Development Control decisions including the determination of all forms of application under the Town and Country Planning Act; the making of Tree Preservation Orders, the consideration and taking of enforcement action under that Act; the screening and consideration of proposal under the EIA Regulations; the agreement and execution of Agreements under Section 106 of that Act or any other part; the taking and defending of any legal proceedings pursuant to, or seeking to resolve, actions taken under that Act; decisions necessary to progress and resolve appeals to the secretary of state or courts in respect of such decisions and actions; and including any revocation, modification or rescission of such decisions.

Strategy and Policy Making and Progression including all necessary agreements or authorisations in the consideration of designation of neighbourhood areas and neighbourhood forum, and all necessary agreements or authorisation necessary in the consideration of neighbourhood development plans, neighbourhood development orders or community right to build orders.

All necessary approvals to progress any part or all of the Local Development Framework and Local Plan, including any Supplementary Planning Documents or associated guidance; and the approval of the Annual Monitoring Report and any other evidence base document for Publication.

ANNEXE 1

DIVISION OF OFFICER RESPONSIBILITIES

(Note: The purpose of this annexe is to identify the officer responsible for doing something. It is not in itself a list of delegated powers. Whether specifically stated or not, officers exercising functions are expected to consult other officers whose functions may be affected by their actions. See also Annexe 3.)

Staff

(N.B. refer to Personnel Policies and Procedures handbook)

Appointment and starting terms within established range; disciplinary action; capability matters; dismissal; general management in accordance with established policy and procedures; advancement within salary range in accordance with established policy; variation of terms and conditions within established policy:

The Chief Executive, Assistant Chief Executive and Business Centre Manager concerned.

Administration of staff car leasing scheme, car loans, and computer loans:

CHFIT following consultation with and/or Business Centre Manager concerned, in case of individual applications.

All other Officer staffing decisions, including variations to gradings and establishment within available flexibility:

CE following consultation with Chief Officer and/or Business Centre Manager concerned.

Finance

All financial matters delegated to an Officer, including administration and collection of Council Tax and Non-Domestic Rates:

CHFIT, subject to consultation with the Chief Officer and/or Business Centre Manager responsible for any service involved.

Property

Acquisitions, disposals, dealings, rights, statutory powers:

CHLG, subject to considering the advice of a qualified Valuer on significant transactions, and subject to consultation with the Chief Officer and/or Business Centre Manager responsible for any service involved.

Legal matters

The initiation or defence of legal proceedings:

CHLG, subject to consultation with the Chief Officer and/or Business Centre Manager responsible for any service involved.

CHFIT for recovery or non-payment of Council Tax, Non-Domestic Rates, or benefit fraud

Housing BCM for recovery of rent, service charges, rechargeable works, homelessness and ASB.

Entering into legally binding obligations (if not delegated to another Officer):

CHLG, subject to consultation with the Chief Officer and/or Business Centre Manager responsible for any service involved.

Administration

The procurement of goods, materials, labour or services:

The Chief Officer and/or Business Centre Manager responsible for the service involved, to act in accordance with Standing Orders.

Amendment of Standing Orders where necessary to comply with legal requirements:

CHLG

Insurance:

CHFIT

Refuse collection and recycling:

ACEE/BCMES

Pollution and nuisance control:

ACEE/BCMES

Food legislation:

ACEE/BCMES

Health and Safety at Work:

ACEE/BCMES

Stray Dogs:

ACEE/BCMES

National Assistance Act burials and cremations and dealing with estates of deceased persons:

ACEE/BCMES

Public Conveniences:

ACEE/BCMES

Licensing and registration

All matters not allocated specifically elsewhere:

ACEE/BCMES

Betting Gaming and Lotteries legislation:

ACEE/BCMES

House-to-house and street collections:

CHLG

Film licensing:

CHLG

Market and Street trading:

ACEE/BCMES (CHLG for licence consents etc issue and administration)

Mobile Homes Act 2013

ACCE/BCMES

Scrap Metal Dealers Act 2013

ACEE/BCMES

Sunbed Regulations

ACEE/BCMES

Gambling Act 2005

ACEE/BCMES

Taxi Licensing Policy

ACEE/BCMES

Housing

Council and social housing:

ACEC/BCM H

Council caravan sites:

ACEC/BCM H

Homelessness, Housing advice and Housing Register:

ACEC/BCM H

Mortgages and loans:

CHITF

Private Sector Housing Standards and grants:

ACEC/BCM H

Home Improvement Service:

ACEC/BCM H

Enabling affordable housing:

ACEC/BCM H

Housing Revenue Account

ACEC/BCM H/CHFIT

Services for Older Persons

Generally:

ACEC/BCMCD

Housing and Council Tax Benefit

CHIFIT

Community Safety Functions:

ACEE/ACEC/BCMES/BCMCD

Highways Functions and car parking:

ACEE/BCMES

Orders made under the Town Police Clauses Act 1847:

CHLG

Leisure, sporting, cultural and recreational functions:

ACEC/BCMCD

Cemeteries:

ACEC/BCMCD

Grant aid:

Functions not delegated elsewhere:

ACEC/BCMCD

Grant aid for sporting, recreational or cultural purposes; including community events (shows) etc;

CHLG

Grant aid to be paid out of capital monies:

CHLG

Grant aid for community halls:

CHLG

Rent Grant Aid:

CHFIT

Planning grant powers:

ACEE/BCMP

Community Right to Bid for Assets of Community Value

Initial application to register an asset as a community asset under Localism Act 2011

ACE(C)/ACE(E)

Review of a decision to accept a decision to register an asset as a community asset

CE/ACE(E)

Town and Country Planning:

ACEE/BCMP

Building Regulation and Building Control:

ACEE/BCMP

Any function not specified above:

The Officer designated by the Chief Executive or, in his absence, the Monitoring Officer

ANNEXE 2

FUNCTIONS SPECIFICALLY OR CONDITIONALLY DELEGATED TO OFFICERS

Note 1:

These functions involve some detailed provision, or are exercisable by staff other than Chief Officers. They are exercisable by the named officers regardless of anything in the main Schedule or in Annexe 1 above. Note also the requirements of Annexe 3.

Note 2:

Powers restricted to a single transaction or matter are not noted here, but are minuted and are kept in a publicly available list.

To avoid doubt, any function delegated to an officer in the Scheme of Delegation to Officers dated January 1998, as amended from time to time, is still exercisable by the appropriate officer ascertained from this Constitution.

Works Direct Service Organisation

Scheme of Delegation to the DSO Manager

- Note:
- a) Functions 1,2,3 and 4 may be exercised only with the agreement of the Assistant Chief Executive Environment or in his absence, the Corporate Head of Finance and IT.
 - b) All functions are subject to the availability of approved budgetary provision and compliance with Financial Regulations and Standing Orders.
 - c) The drafting and submission of tenders under Functions 5 and 6 may be carried out only with the agreement of the Corporate Head of Finance and IT and Corporate Head of Law and Governance.
 - d) No contract for the provision of goods, services or works to the Council may be entered into under these powers so as to last beyond the time at which the function giving rise to the provision is intended or required to be exposed to competitive tendering.

FUNCTIONS

1. The acquisition (other than by way of leasing, contract hire, or hire purchase arrangements), whether at auction or otherwise, of all vehicles, plant and machinery employed in the discharge of any DSO functions, subject to Standing Orders for Contracts.
2. The management, maintenance and disposal of all vehicles, plant and machinery employed in the discharge of any DSO functions.
3. The acquisition (other than by way of leasing, contract hire, or hire purchase arrangements) management and disposal of all materials properly required to discharge the DSO functions.
4. Where required in pursuance of paras. 1, 2 and 3, or for other reasons, the seeking and acceptance, in accordance with Standing Orders for Contracts (and in place of the "relevant Chief Officer"), of the most advantageous tenders for the provision of services or the execution of works in respect of DSO functions.
5. In respect of works contracts with third parties which it is within the Council's power to discharge, where the tender will exceed £50,000, but not £100,000, the identification, in consultation with the Chief Executive and the Corporate Head of Finance and IT, of those contracts for which the Council will submit tenders, and the drafting and submission of such tenders.
6. In respect of works contracts with third parties which it is within the Council's powers to discharge, where the tender will not exceed £50,000, the identification of those contracts for which the Council will submit tenders and the drafting and submission of such tenders, PROVIDED that where the aggregate value of all such contracts running simultaneously exceeds £150,000 the DSO Manager shall first consult the Chief Executive and the Corporate Head of Finance and IT before the submission of any further tenders.
7. The execution of such contracts following successful tenders.

General Delegations

Staffing

Approval of staffing proposals for services being provided in house following a competitive bid, subject to consultation with the Chief Officer or Business Centre Manager concerned and consideration of the effect on the business or financial plan
CE/BCM

Employment Stability Policy

Approval of proposals for salary protection in event of redeployment to a lower graded post for periods longer than one year on exceptional grounds
CE

Administration

Authorisation of any staff member to act as Proper Officer or for any other statutory purpose (if Committee or Council resolution not required by law), if no other officer specifically nominated for this function
CE

Co-option of Members to the Crime and Disorder Committee: CHLG

Minor amendments to the Constitutions of the Cabrera Trust Management Committee or the Chertsey Meads Management Liaison Group
CHLG

Annual registration of Members as 'data controllers' with the Information Commissioner
CHLG

Refuse collection and recycling

Waiver of charges for collection of bulky household refuse for householders in receipt of Council Tax Benefit
ACEE/BCMES

Adjustment of trade refuse charges to respond to market, and discounts for customers with two or more containers
ACEE/BCMES

Environmental Health

The issue of any notice in an emergency for a function exercisable by ACEE/BCMES
Any Environmental Health Officer,
Environmental Health Technician, or Trainee
Environmental Health Officer

The appointment of Health Protection Agency staff as Proper Officers for relevant purposes under the Public Health (Control of Diseases) Act 1984 and the National Assistance Acts 1948 and 1951
ACEE/BCMES

The issue of fixed penalty notices as referred to in the Smoke-free Enforcement Protocol approved by Leisure & Environment Committee 21/06/07
ACEE/BCMES

Sunbeds (Regulation) Act 2010 – appointment of appropriate authorised Officers under the Act (ACEE) and institution of legal proceedings in relation to offences under the Act
ACEE/BCMES/CHLG

Sanitary facilities in Council Enforced Premises – discretion to allow deviation from British Standard in small premises holding less than 20 persons.
ACEE/BCMES/EHLM

Licensing

The functions of an authorised person under the Licensing Act 2003

Any Senior Licensing Officer or any
Environmental Health Officer

Power to grant or refuse applications for minor variations of a premises licence or club premises certificate
ACCE/BCMES/EHLM

Scrap Metal Dealers Act 2013

- i) Issue renewal or vary scrap metal site Licence or collectors licences
- ii) Refuse or revoke a scrap metal site licence or collectors licence after consulting CHLG
- iii) Hearing oral representations in accordance with schedule 1 Para 7 (8) of that Act

ACCE/BCMES

Mobile Homes Act 2013 –

Issue and transfer site licences, and to issue, revoke or vary a Compliance Notice under Section 9 of the Caravan Sites Act 1960
ACEE/BCMES

Suspension or revocation of or refusal to renew licences of hackney carriage or private hire drivers under section 61 Local Government (Miscellaneous Provisions) Act 1976
ACEE/BCMES/HEPL after consulting CHLG

The suspension or revocation of or refusal to renew or grant licences of hackney carriage or private hire drivers or operators as legislated for under the Local Government (Miscellaneous Provisions) Act 1976 having regard to the Council's policy, medical, technical, or legal advice

ACEE/BCMES/HEPL after consulting CHLG

Rolls Royces, Bentleys, stretched limousine, vintage vehicles and other vehicles at the discretion of the ACEE be considered to be suitable vehicles to be granted exemption from the requirement to display a licence plate on a private hire vehicle

ACEE/BCMES/HEPL

Allow specific vehicles to be MOT tested outside the borough, where the nature or size of the vehicle makes this necessary.

ACEE/BCMES/HEPL

Housing

Allocation of additional management/welfare points to applicants in urgent need of housing in exceptional cases.
ACEC/BCM

Determination of applications made for a review under the Allocations Policy
ACEC/BCM

Agreement of prices up to 10% above those specified under the Assisted Private Purchase Scheme, in exceptional circumstances.
ACEC/BCM

Waiver of standard recharges to tenants to avoid unreasonable hardship
ACEC/BCM

Acceptance of leases of properties for housing purposes for terms of less than seven years
ACEC/BCM with agreement of CHLG

Use of bonds and/or rent in advance payments flexibly in order to secure private lettings up to a total value of 3 months' rent
ACEC/BCM

Local Authority Housing Possession Cases (including recovery of rent, mesne profits or damages – authorisation of named Officers to appear in County Court proceedings on behalf of the Council.

CHLG

Discretionary Housing Payments Policy

Amendments to policy to take account of Government guidance

ACEC in consultation with Chairman and Vice-Chairman

Purchase of properties on the open market and up to the value of £350,000 where such purchases would have strategic advantages for the Council and would assist in meeting current housing requirements

ACEC in consultation with Chairman and Vice-Chairman of Housing Committee

Private Sector Housing

See Schedule below for list of authorised Officers and relevant powers.

Private Sector Housing

Specific Officer Delegations

1. Reference to any Act includes any amendment to, or re-enactment of, that Act and/or any Orders or Regulations made under that Act.
2. Reference to any Order or Regulations includes reference to any Order or Regulations amending or revoking and re-enacting that Order or those Regulations (with or without modification).
3. The named Officers are authorised to:
 - a perform all functions listed below on behalf of the Council and in the Council's name.
 - b act, subject to statutory requirements, within any relevant aspects of the Council's Strategy and Programme.
4. The authorised Officers must
 - a consult with the appropriate professional or technical Officer of the Authority in respect of matters not within the competence of the Nominated Officer; and
 - b maintain an adequate record of action taken.

Authorised Officers

The following Officers are authorised to undertake the functions listed below:-

Assistant Chief Executive Communities and/or Business Centre Manager Housing
Private Sector Housing and Enabling Manager

Private Sector Housing Manager

Private Sector Housing Officer

Functions

Powers of Entry

To authorise any other Officer to exercise the authority's powers of entry pursuant to sections 260, or 319 of the Housing Act 1985 – such authorisation to be in writing.

Notices etc

To issue, serve, review and determine notices, directions and orders pursuant to powers contained in the following legislation:-

- Housing Act 1985 (as amended)
- Housing Grants, Construction and Regulations Act 1996
- Environmental Protection Act 1990
- Housing (Management of Houses in Multiple Occupation) Regulations 1990
- Local Government (Miscellaneous Provisions) Act 1976

Works in Default

To issue notices of intention to carry out works in default in respect of any failure to comply with any notice served under section 80 of the Environmental Protection Act 1990 and to make any arrangements necessary to carry out those works, subject to the Council's Standing Orders and Financial Regulations.

Financial Assistance

To process and approve all grant applications under the Housing, Grants, Construction and Regeneration Act 1996 and the Regulatory Reform (Housing Assistance) Order 2002 in accordance with the authority's published policy (Runnymede Renewal) and to make payments in respect of approved grants.

Specific Officer Delegations under Housing Act 2004

Authorised Officers

The following Officers are authorised to under the functions listed below:

Assistant Chief Executive Communities and/or Business Centre Manager Housing;
Private Sector Housing and Enabling Manager;
Private Sector Housing Manager

Housing Act 2004

Part 1

- Assessment of housing conditions using the Housing Health and Rating System;
- Enforcement of Housing Standards and the service of a range of statutory notices (to which this part applies);
- Emergency measures

Part 2

- Licensing of Houses in Multiple Occupation (HMO's);
- Granting or refusing a Licence;
- Variation and revocation of licensing;
- Enforcement provisions (to which this applies);

Part 4

- Additional control provisions in relation to residential accommodation;
- Overcrowding notices

Part 7

- Supplementary and final provisions including the management regulations in respect of HMO's.

Highway related matters

Street trading consents

CHLG with agreement of Chairman and
following consultation with Ward Members

Car Parks

Temporary waiver of car parking charges by order, notice, or permit, either for individuals or generally, subject to the cost being contained within budget

ACEE/BCMES

The annual grant of one day's free parking in connection with Magna Carta Day (Egham), the Arts Festival (Addlestone) and Black Cherry Fair (Chertsey)

ACEE/BCMES

Leisure Facilities

Adjustment of approved charges for Leisure facilities to respond to market

ACEC/BCMCD

Planning

All planning decisions except for those listed in Scheme of Delegation on page 44 of the Constitution

ACEE/BCMP

Building Control

Adjustment of fees to respond to market

ACEE/BCMP

Benefits

Representation of the Council at Appeals Service hearings

CHFIT, Head of (Revenues and Benefits),
Benefits and Income Manager,
Assessment Team Manager

Authority under section 223 Local Government Act 1972 to appear in prosecution proceedings in the Magistrates Court on behalf of the Council where the offender has entered a guilty plea.

N. Morley (Benefit Fraud Investigation
Manager)

Council Tax and Business Rates

Authority under section 223 Local Government Act 1972 to appear in the Magistrates Court to recover Council Tax and National Non-Domestic Rate

- i) Mr N W Boyd – Head of Revenues and Benefits
- ii) Mrs C R Sefton – Revenues Manager
- iii) Mr S Boylan – Senior Recovery Officer
- iv) Mrs A Cooper – Council Tax Manager
- v) Mrs E Kavanagh – Business Rates Manager
- vi) Miss L Lowin – Senior Revenues Assistant

Council Tax Discretionary Relief Policy

Make changes as required

CHFIT in consultation with Chairman and Vice-
Chairman of Corporate Management
Committee

Council Tax Discretionary Relief

Determination of all category 1 and 2 requests for discretionary relief

CHFIT

Public Charitable Collections

Determination and grant of applications for house to house and street collections

CHLG

Commercial Clothing Collections

Amend the pre-requisite and other relevant requirements in respect of commercial and charitable clothing collections as necessary.

CHLG

Council Land - Rights of Access:

- i) the initial fee for pedestrian access rights licences over Council land be determined by the Corporate Head of Law and Governance on a case by case basis:
- ii) the initial fee for vehicular (including pedestrian where appropriate) access rights licences over Council land be determined by the Corporate Head of Law and Governance on a case by case basis:
- iii) the fees for the grants of any new licences providing rights of access over Council land be reviewed annually by the Corporate Head of Law and Governance and
 - a) the fees will be reviewed in line with inflation, by indexing by the Government's preferred measure of Consumer Prices Index (CPI);
 - b) the Council's legal costs for this work will be reviewed annually in line with CPI and will be set at £250 per case initially;
 - c) whilst a one year Licence can be granted if desired by the resident concerned, the following will be offered by Officers;

A 5 year Licence, subject to full payment up front by the 5 years, with no CPI uplift during the term of the licence, or a 10 year Licence, on the same basis as for the 5 year licence.

CHLG