

Council



Listening Learning Leading



Report of the head of legal and democratic and the monitoring officer

Author: Steve Culliford

Telephone: 07895 213735

E-mail: steve.culliford@southandvale.gov.uk

To: COUNCIL

DATE: 7 October 2020 (Vale) and 8 October 2020 (South)

Changes to the council's constitution

Recommendations

That Council:

- (a) agrees to amend the Summary and Explanation section of the constitution as follows:
 - (i) to use 'Chair' as the default term throughout the constitution,
 - (ii) that the minutes of all meetings should record when councillors arrive late for a meeting or leave early,
 - (iii) to add a definition of the leader of the opposition, as set out in paragraph 10 of this report;
- (b) agrees to amend the Council, Cabinet and all committee procedure rules to include:

"The Chair may choose to indicate how they wish to be addressed, according to personal preference."
- (c) agrees to amend the Council procedure rules as follows:
 - (i) procedure rule 4 be amended so that when the budget is discussed at Council meetings, questions and motions from councillors will follow consideration of the budget,
 - (ii) procedure rule 33 be amended to allow councillors to also ask questions of representatives appointed to outside bodies or joint committees,
 - (iii) procedure rule 36 be amended to require written answers to councillors' questions at Council meetings, to be provided to Democratic Services for circulation at least 24 hours before a Council meeting to allow more time for councillors to digest the answer and draft a supplementary question,
 - (iv) procedure rule 40 be amended to state that motions to Council may not relate to a decision on an individual case, or a decision made on an individual case under planning, licensing or other regulatory legislation;

- (d) agrees to amend the Joint Audit and Governance Committee procedure rules to clarify that only South Oxfordshire District Council members should vote on matters that solely relate to South Oxfordshire, and Vale of White Horse District Council members should only vote on matters that relate solely to the Vale;
- (e) agrees to amend the Planning Committee procedure rule 22(a) to allow groups of public speakers (parish council, objectors, supporters) and ward members up to three minutes to address South Oxfordshire's Planning Committee;
- (f) agrees to retain the following Planning Committee procedure rules:
 - (i) procedure rule 4 to continue to exclude Cabinet members from being committee members, and to continue to exclude ward members from participating and voting on applications within their ward,
 - (ii) procedure rule 22(c) to continue the committee's ability to ask public speakers questions of clarification;
- (g) agrees to amend the Joint Staff Committee procedure rules terms of reference by replacing "to undertake development and performance reviews for the chief executive and head of paid service (based on the objectives and targets for the chief executive and head of paid service set by the leaders)" with:
"To review the objectives and targets set by the leaders for the chief executive and review the formal performance and development reviews undertaken by the leaders.";
- (h) agrees to amend the scheme of delegation to the chief executive to add a delegation to allow the authorisation of additional senior officers to sign documents and to attest the affixing of the common seal, if this becomes necessary;
- (i) agrees to amend the scheme of delegation to the acting deputy chief executive – transformation and operations, to act as the councils' data protection officer and the senior information risk owner;
- (j) agrees to amend the scheme of delegation to the Electoral Registration Officer and Returning Officer as follows (new text in bold type):
"1.3 As returning officer, to designate an alternative polling place if the designated polling place becomes unavailable for a particular election, **referendum or poll.**"
- (k) agrees to amend the scheme of delegation to the head of development and regeneration as follows:
 - (i) add three paragraphs to the section relating to the Community Infrastructure Levy, as set out in paragraph 26 of this report,
 - (ii) amend paragraph 1.2 (b) regarding the surrender or termination of leases and licences as follows (new text in bold type):
"To approve and accept surrenders or terminations of leases and licences, and any ancillary documents (**including deeds of variation**), and determine applications for the assignment, sub lettings, and transfer of leases and licences and the granting of sub leases and under leases and other applications for consent required by lessees."
 - (iii) add a new paragraph 1.2 (m) as follows:
"To grant the consent of the council and agree to release covenants in respect of land and property matters including retrospective consents under

restrictive covenants contained in historic conveyances and transfers of former council housing.”

- (l) agrees to amend the scheme of delegation to the head of housing and environment as follows:
 - (i) delete paragraphs 1,7, 1.10, 1.16, 1.17, 1.20 and 1.21, as set out in paragraph 30 of this report,
 - (ii) rename the section on ‘refuse and street cleaning’ to ‘waste and street cleaning’,
 - (iii) add the following paragraph to the section on waste:

“To authorise an exemption for residents who wish to pay their annual subscription to the garden waste service by means other than direct debit.”,
 - (iv) amend paragraph 16.2 relating to clean neighbourhoods as follows (additional text in bold; deletions shown crossed through):

“To **exercise the council’s powers and duties** ~~authorise town and parish council officers and staff nominated by the district council’s contractors to~~ implement the fixed penalty provisions of the Dogs (Fouling of Land) Act and the Clean Neighbourhoods and Environment Act 2005.”,
 - (v) amend paragraph 19.1 and delete paragraph 19.2 as follows:

“19.1 To exercise the council’s powers and duties under the Animal Welfare Act 2006, **the Dangerous Wild Animals Act 1976, The Zoo Licensing Act 1981**, including licensing and registration functions, service of notices, taking of enforcement action, inspections, **risk assessing**, powers of entry and the appointment of inspectors.

~~19.2 To exercise the council’s powers and duties under The Dangerous Wild Animals Act 1976, The Pet Animals Act 1951, The Breeding of Dogs Acts 1973 and 1991, The Animal Boarding Establishments Acts 1963 and 1970, The Zoo Licensing Act 1981, and The Riding Establishments Acts 1964 & 1970, and the Breeding and Sale of Dogs (Welfare) Act 1999, including licensing and registration functions, taking of enforcement action, inspections, powers of entry and the appointment of inspectors.”~~
 - (vi) amend paragraph 22.2 relating to private water supplies as follows:

“To give authority to approved companies or organisations to carry out **risk assessment functions and** water sampling on behalf of the council under the Water Industry Act 1991.”;
- (m) agrees to amend the scheme of delegation to the head of planning as follows:
 - (i) amend paragraph 1.1(a) to remove ambiguous wording as follows:

“A ward councillor (to include adjacent ward councillor whose parish has been consulted) calls in the application to be considered by the Planning Committee within 28 days of the date of registration of the application (~~unless an extension to the consultation period has been granted~~). This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous. Councillors’ right of call-in does not apply to applications for certificates of lawful development.”,
 - (ii) that paragraph 1.15 relating to neighbourhood plans also applies to South Oxfordshire:

“1.15 To designate neighbourhood planning areas.” (This delegation is subject to consultation with the Cabinet member for planning.),
 - (iii) add a paragraph to allow the designation of a neighbourhood plan forum, where there is a parish meeting but no parish council,
 - (iv) add a paragraph to allow a neighbourhood plan to proceed to referendum;

- (n) adds to the list of Proper Officer and Authorised Officer appointments, as set out in the appendix 1 to this report,
- (o) amends the Financial Procedure Rules as follows:
 - (i) amend paragraph 61 to require that any sale of property resulting in a significant reduction in income of £100,000 or more, impacting on the current budget and the medium term financial plan, must be referred to full Council for consideration,
 - (ii) amend paragraphs 74 and 75 to refer to head of development and regeneration following the transfer of responsibility for Community Infrastructure Levy spending from the head of planning under the management restructure;
- (p) authorises the head of legal and democratic services to update the constitution to reflect the agreed amendments with effect from 1 November 2020; and
- (q) authorises the head of legal and democratic services to make any minor or consequential amendments to the constitution for consistency.

Purpose of Report

1. This report proposes revisions to the current constitution to ensure it is up-to-date and reflects the council's changing environment.

Strategic Objectives

2. The constitution underpins all the council's decision-making and therefore supports all its strategic objectives.

Background

3. South Oxfordshire District Council and Vale of White Horse District Council have adopted a joint Constitution. The majority of the Constitution applies equally to both councils, with a few minor differences.
4. Periodically the council undertakes a constitution review in pursuance of the requirements of Section 37 of the Local Government Act 2000. This is the first review since the district council elections in May 2019. The Joint Constitution Review Group was appointed to conduct the review. The review group consists of councillors from both South Oxfordshire District Council and Vale of White Horse District Council and is cross-party. The review group met on 3 March, 17 August and 14 September 2020 to consider constitutional matters that have arisen since May 2019. Two co-chairs were appointed to the review group: Councillor Stefan Gawrysiak from South Oxfordshire and Councillor Debby Hallett from the Vale, who shared the chairing role at alternate meetings. The review group was supported by the head of legal and democratic and officers from democratic services, as well as service-specific officers where appropriate.

5. It is only Council that can amend the Constitution. This report (being submitted to both councils' Council meetings) sets out the review group's proposed changes, and recommends that these changes take effect from 1 November 2020.

Scope of this review

6. The review group discussed the scope of this constitution review. Councillors concluded that there should be no wide-scale review of the constitution until there is agreement on the strategic direction for local government reorganisation in Oxfordshire. This review concentrated on improving the operating mechanisms of the constitution.
7. Some South Oxfordshire members of the review group raised the possibility of adopting a committee system of decision-making, instead of the leader, cabinet and scrutiny model currently used by both councils. The review group did not support this suggestion and believed that policy-making was not the review group's role. It was suggested that South Oxfordshire members should pursue this concept through other avenues.

Suggested changes to the constitution

Part 1 – General matters in the constitution's Summary and Explanation

8. The review group discussed whether the person presiding at a meeting should be referred to as the 'Chair' or 'Chairman'. Councillors concluded that 'Chair' should be the default term used throughout the constitution. However, the following wording should also be added to the Council, Cabinet and all committee procedure rules:

“The Chair may choose to indicate how they wish to be addressed, according to personal preference.”
9. The review group considers that the minutes of all meetings should record when councillors arrive late for a meeting or leave early. This should be added to the Summary and Explanation section. However, this will not be a requirement under the virtual meeting procedure rules.
10. The review group discussed a suggestion that the constitution should formally recognise the largest opposition group as 'the opposition'. The review group initially discussed the use of the term 'leader of the largest opposition group'. However, at South Oxfordshire, where there are currently several opposition groups, members of the smaller groups were not content that the leader of the largest opposition group should also be known as their leader. The review group concurs with this and believes that all opposition groups are distinct and should have access to officer briefings when needed. The review group considers that it would be helpful to add a paragraph to the Summary and Explanation section of the constitution as follows:

“The opposition political group which holds the highest number of seats is known as the 'majority opposition group' with its leader known as the leader of the opposition. If there are two or more larger opposition groups of the same size, the right of the title will alternate as agreed between the leaders of the groups or, in the absence of agreement, by Council”.

Part 2 – Decision-Making

Council procedure rules

11. The review group discussed several matters relating to the Council procedure rules. This followed issues that had arisen at Council meetings. The review group recommends that Council procedure rule 4 should be amended so that at Council meetings when the budget is discussed, questions and motions from councillors should still be allowed but only following consideration of the budget.
12. Council procedure rule 33 should be amended to allow councillors to also ask questions of representatives appointed to outside bodies or joint committees. Currently this is restricted to the Chair of the Council, Cabinet members, and committee chairs.
13. Council procedure rule 36 should be amended to require written answers to councillors' questions at Council meetings, to be provided to Democratic Services for circulation at least 24 hours before a Council meeting. This will allow more time for councillors to digest the answer and draft a supplementary question.
14. Council procedure rule 40 should be amended to state that motions to Council may not relate to a decision on an individual case, or a decision made on an individual case under planning, licensing or other regulatory legislation.
15. The review group discussed two further matters but have recommended no changes. These related to firstly the length of motions to Council: the review group concluded that Council procedure rule 40 must not limit the length of motions to Council. Secondly, Council procedure rule 37 should be retained in its current form to allow flexibility in answering supplementary questions, either in writing or with a verbal response at the meeting.

Joint Audit and Governance Committee procedure rules

16. The review group discussed an issue that had arisen at a Joint Audit and Governance Committee, where the committee was asked to approve a document relating to only one council. The committee decided that only South Oxfordshire members should vote on matters that related to South Oxfordshire only, and Vale members should only vote on matters that related to the Vale only. This was not explicit in the Constitution. The review group considers that this clarification should be added to the Joint Audit and Governance Committee procedure rules to reflect the committee's protocol.

Planning Committee procedure rules

17. The review group had long debates about the Planning Committee procedure rules. Firstly, was asked to consider the time allotted to public speaking at Planning Committee. At South Oxfordshire, the time allotted is currently five minutes for parish councils, objectors, supporters and ward members. The review group heard from its Vale members who reported that reducing the allotted time to three minutes had worked well, allowing sufficient time for the speaker to make their statement, and helped the committee to complete consideration of its agenda without having to defer items to future meetings. The review group recommends that Planning Committee

procedure rule 22(a) should be amended to allow the groups of public speakers (parish council, objectors, supporters) and ward members up to three minutes to address the committee.

18. The review group was minded to retain the current procedure rule 4 that requires a local ward member to step down from the committee and not take part in the decision-making on an application within their ward. The reason for this is to protect the council and ward councillors from allegations of bias and predetermination, as ward members have an advocacy role. No change is recommended on this issue to procedure rule 4.
19. The review group was asked to consider whether Planning Committee procedure rule 4 should be amended to allow Cabinet members to be named as full members of the committee or preferred substitutes. The review group did not support this suggestion as this will give Cabinet members voting rights at the committee, which the current procedure rules seek to avoid. Cabinet members might have a conflict of interest as they are policy makers and sometimes property developers. The procedure rules seek to keep a boundary between policy-making/developer roles and the policy implementation role. The review group wish to retain this distinction to protect Cabinet members from a potential conflict of interests. Therefore, no changes are suggested to procedure rule 4 on this matter.
20. The review group reviewed Planning Committee procedure rule 22(c) but concluded that the current rule should be retained to allow the committee members to ask the public speaker any questions of clarification. Therefore, no change was necessary.

Climate Emergency Advisory Committee procedure rules (South)

21. A South Oxfordshire councillor suggested that the council's Climate Emergency Advisory Committee should be a committee of the Council and not an advisory committee of Cabinet. The review group concluded that the councillor should refer this suggestion to the Leader of South Oxfordshire District Council, as policy-setting is not a matter for the review group.

Joint Staff Committee procedure rules

22. The review group considers that the terms of reference for the Joint Staff Committee should be changed to provide for a review of the objectives and targets and the formal performance and development review by the committee. Currently this paragraph reads: "to undertake development and performance reviews for the chief executive and head of paid service (based on the objectives and targets for the chief executive and head of paid service set by the leaders)." This does not reflect the current arrangements as requested by the Joint Staff Committee. The review group supports the request change and recommends that this text is amended to read:

"To review the objectives and targets set by the leaders for the chief executive and review the formal performance and development reviews undertaken by the leaders."

Scheme of delegation to officers

Scheme of delegation to the chief executive

23. The review group noted that during the Covid-19 recovery period, the chief executive had taken a decision under his emergency powers to authorise two officers to sign any council documents and to attest the affixing of the common seal as required. The review group was asked to consider an addition to the chief executive's scheme of delegation to allow the authorisation of additional senior officers to sign documents and to attest the affixing of the common seal, if this becomes necessary. The review group agreed this was sensible and have made a recommendation accordingly.

Scheme of delegation to the acting deputy chief executive – transformation and operations

24. In the management structure, the post of acting deputy chief executive – transformation and operations, has been given responsibility to act as the councils' data protection officer and the senior information risk owner. The review group recommends that these roles are added to the scheme of delegation for this post.

Scheme of delegation to the Electoral Registration Officer and Returning Officer

25. Paragraph 1.3 of the scheme of delegation to the Electoral Registration Officer and Returning Officer allows for the designation of an alternative polling place (polling station) if the designated polling place becomes unavailable for a particular election. The review group was asked to add "referendum or poll" to the delegation. The review group agreed to make this recommendation as follows (new text in bold type):

"As returning officer, to designate an alternative polling place if the designated polling place becomes unavailable for a particular election, **referendum or poll.**"

Scheme of delegation to the head of development and regeneration

26. The review group considered suggested changes to the scheme of delegation to the head of development and regeneration. The first was to add the following paragraphs to the section relating to the Community Infrastructure Levy:

"To negotiate and enter into agreements with Oxfordshire County Council and Oxfordshire Clinical Commissioning Group regarding the release of Community Infrastructure Levy funds.

To determine applications for funding in line with the appropriate approved Community Infrastructure Levy Spending Strategy (up to £100,000), subject to consulting the head of planning, the head of finance, and the relevant Cabinet member for amounts greater than £20,000 and up to £100,000.

In accordance with the Community Infrastructure Levy Regulation 59(F), to approve projects submitted by parish meetings and spend of associated funding

either directly to the parish meeting or through a third party, subject to consultation with the head of planning and the head of finance.”

27. The review group recommends a minor amendment to paragraph 1.2 (b) of the head of development and regeneration’s scheme of delegation regarding the surrender or termination of leases and licences as follows (new text in bold type):

“To approve and accept surrenders or terminations of leases and licences, and any ancillary documents (**including deeds of variation**), and determine applications for the assignment, sub lettings, and transfer of leases and licences and the granting of sub leases and under leases and other applications for consent required by lessees.”

28. The review group recommends the following addition to the head of development and regeneration’s scheme of delegation regarding covenants by adding paragraph 1.2 (m) as follows:

“To grant the consent of the council and agree to release covenants in respect of land and property matters including retrospective consents under restrictive covenants contained in historic conveyances and transfers of former council housing.”

Scheme of delegation to the head of housing and environment

29. The review group was asked to consider several adjustments to amend the head of housing and environment’s scheme of delegation. This was part of a tidying up exercise of the wording in the constitution.
30. The review group was advised that the following delegations are no longer required and can be deleted. The review group concurred that these paragraphs are no longer necessary or are covered by other delegations (shown below as crossed through):

~~1.7 To carry out the annual review of the statutory allocations policy.~~

~~1.10 To allocate housing accommodation to those persons qualifying for accommodation in accordance with the council's approved allocation scheme and taking into account equalities considerations under the Equalities Act 2010.~~

~~1.16 To comment on bids from registered social landlords for funding.~~

~~1.17 To allocate sites for affordable housing development to registered social landlords.~~

~~1.20 To acquire and dispose of land and property where the transaction forms part of the council's housing capital budget and is for a sum less than £500,000 and the transaction and associated costs can be met from the housing association programme budget. (relates to Vale only)~~

~~1.21 To authorise the approval and amendment of council's housing capital budget subject to any approved criteria for housing association developments. (relates to Vale only)~~

31. The review group considers that the section on 'refuse and street cleaning' should be renamed 'waste and street cleaning' to reflect modern parlance and recommend this change.
32. The review group supports the addition of the following paragraph to the section on waste, as service users should not be restricted by payment method:
- “To authorise an exemption for residents who wish to pay their annual subscription to the garden waste service by means other than direct debit.”
33. The review group supports an amendment to paragraph 16.2 of the head of housing and environment's scheme of delegation relating to clean neighbourhoods as follows (additional text in bold; deletions shown crossed through):
- “To **exercise the council's powers and duties** ~~authorise town and parish council officers and staff nominated by the district council's contractors to~~ implement the fixed penalty provisions of the Dogs (Fouling of Land) Act and the Clean Neighbourhoods and Environment Act 2005.”
34. The review group supports an amendment to paragraph 19.1 and deleting paragraph 19.2 as follows:
- “19.1 To exercise the council's powers and duties under the Animal Welfare Act 2006, **the Dangerous Wild Animals Act 1976, The Zoo Licensing Act 1981**, including licensing and registration functions, service of notices, taking of enforcement action, inspections, **risk assessing**, powers of entry and the appointment of inspectors.
- ~~19.2 To exercise the council's powers and duties under The Dangerous Wild Animals Act 1976, The Pet Animals Act 1951, The Breeding of Dogs Acts 1973 and 1991, The Animal Boarding Establishments Acts 1963 and 1970, The Zoo Licensing Act 1981, and The Riding Establishments Acts 1964 & 1970, and the Breeding and Sale of Dogs (Welfare) Act 1999, including licensing and registration functions, taking of enforcement action, inspections, powers of entry and the appointment of inspectors.”~~
35. The review group supports an amendment to paragraph 22.2 relating to private water supplies as follows:
- “To give authority to approved companies or organisations to carry out **risk assessment functions and** water sampling on behalf of the council under the Water Industry Act 1991.”

Scheme of delegation to the head of planning

36. The review group considered a suggestion that on a permanent basis (and not just as a temporary measure agreed during Covid-19), the determination of all minor planning applications should be delegated to the head of planning at South Oxfordshire, thereby matching the procedure at the Vale. In August, the review group rejected the proposal, as it believed that South's Council meeting should first debate the temporary deferment of parish councils' ability to refer applications to the Planning Committee. A review of

the temporary arrangements was underway, and a report was expected at the South Council meeting in October.

37. The review group considered other matters relating to the scheme of delegation to the head of planning. The review group considers that paragraph 1.1(a) should be amended to remove ambiguous wording crossed through below:

“A ward councillor (to include adjacent ward councillor whose parish has been consulted) calls in the application to be considered by the Planning Committee within 28 days of the date of registration of the application (~~unless an extension to the consultation period has been granted~~). This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous. Councillors’ right of call-in does not apply to applications for certificates of lawful development.

The current text sets a deadline for call-in but also extends this if the consultation period on the application is extended. This is causing an issue as the extension to the consultation period is not defined and is sometimes being classed as a re-consultation when amended plans are received. The review group supports amending paragraph 1.1(a) as shown above.

38. The review group recommends three minor changes regarding neighbourhood planning. Firstly, the head of planning’s scheme of delegation relating to neighbourhood plans to apply paragraph 1.15 shown below currently only applies to the Vale. The review group believe this should be extended to apply also to South Oxfordshire:

“1.15 To designate neighbourhood planning areas.” (This delegation is subject to consultation with the Cabinet member for planning.)

39. Secondly, the review group recommends adding a delegation to allow the designation of a neighbourhood plan forum, which is where there is a parish meeting but no parish council.
40. The review group also recommends an amendment to the head of planning’s scheme of delegation relating to neighbourhood plans to add a delegation to allow a neighbourhood plan to proceed to referendum. This will only be applicable where all the regulatory criteria had been met.

Proper officer and authorised officer appointments

41. Officers have reviewed the list of Proper Officer and Authorised Officer appointments and suggested additions as set out in the appendix to this report. These appointments show which officer post is authorised to undertake the council’s legal requirements of the legislation. The review group agrees with these additions and recommends their inclusion in the constitution.

Part 3 – Codes, Protocols and Other Procedure Rules

Financial procedure rules

42. The review group considers that paragraph 61 of the Financial Procedure Rules should be amended to require that ‘any sale of property resulting in a significant reduction in income of £100,000 or more, impacting on the current budget and the medium term financial plan, must be referred to full Council for consideration’.
43. Also, the review group considers that paragraphs 74 and 75 of the Financial Procedure Rules should be amended to refer to head of development and regeneration following the transfer of responsibility for Community Infrastructure Levy spending from the head of planning under the management restructure.

Councillors’ Planning Code of Practice

44. The Councillors’ Planning Code of Practice sets out guidance on planning site visits. The review group considers that this guidance should be updated in line with latest best practice. Officers are currently working on this and will bring forward revised guidance to a future Council meeting.

Financial Implications

45. There are minimal financial implications for amendments to the constitution as only a minimal number of paper copies are printed. The constitution is published to the council’s website and the public, councillors and officers are encouraged to refer to this online version.

Legal Implications

46. Section 37 of the Local Government Act 2000 requires the Council to keep its constitution under review.

Conclusion

47. This report sets out proposals to amend the constitution. The review group recommends that Council approves the proposed changes for implementation on 1 November 2020, and authorises the head of legal and democratic to make these changes and any further minor or consequential amendments.
48. The constitution review is a continual process. Any changes adopted by Council can be subject to further review or adjustment.

Background Papers

None

Proper officer and authorised officer appointments

The following appointments are recommended to be add to the Proper Officer and Authorised Officer Appointments section of the constitution.

Legislation	Section	Purpose	Proper/authorised officer
Law of Property Act 1925	S.146	To serve forfeiture notice on behalf of the council	Head of Development and Regeneration
	S.147	To serve and receive notices on behalf of the council on relief from forfeiture	Head of Development and Regeneration
Landlord and Tenant Act 1954	S.24 – S.28	To serve and receive notices on behalf of the council on business tenancy renewals/terminations	Head of Development and Regeneration
	S.40	To serve and receive notices on behalf of the council to request information from a tenant	Head of Development and Regeneration
Local Government Act 1972	S.215	To receive notices on behalf of the council relating to closed churchyards	Head of Development and Regeneration
Wildlife and Countryside Act 1981	S.28 – S.29	To receive notices on behalf of the council relating to notification of proposed Sites of Special Scientific Interest	Head of Planning
	S.53	To receive notices on behalf of the council relating to Definitive Map Modification Orders to amend the alignment of public footpaths	Head of Development and Regeneration
Landlord and Tenant Act 1987	S.3	To serve notice on behalf of the council for a landlord to notify residential tenants when the landlord wishes to sell the freehold	Head of Development and Regeneration
	S.5	To serve notice on behalf of the council for a landlord to offer residential tenants first right of refusal when the landlord wishes to sell the freehold	Head of Development and Regeneration

Legislation	Section	Purpose	Proper/authorised officer
	S47 – S48	To serve notice on behalf of the council requiring the identity of the freeholder to be given to tenants	Head of Development and Regeneration
Leasehold Reform, Housing and Urban Development Act 1993	S.13	To receive notices on behalf of the council regarding an initial notice by tenants to exercise their collective enfranchisement	Head of Development and Regeneration
	S.21	To serve notice on behalf of the council regarding a landlord's counter notice to s13	Head of Development and Regeneration
	S.42	To receive notices on behalf of the council regarding the extension of long leases for residential	Head of Development and Regeneration
	S.45	To serve notice on behalf of the council regarding the landlord's response to S.42	Head of Development and Regeneration
Commonhold and Leasehold Reform Act 2003	S.20	To serve notice on behalf of the council regarding the consultation procedure for qualifying works – residential only	Head of Development and Regeneration
	S.166	To serve notice on behalf of the council regarding the requirement for a landlord of residential premises (long leases) to serve notice on tenants requiring rent to be paid	Head of Development and Regeneration
Planning (Listed Buildings and Conservation Areas) Act 1990		To serve notices in relation to Listed Buildings and Conservation Areas	Head of Planning