Council
12 March 2026

UPDATE TO THE CONSTITUTION

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Report Author:	Tim Richardson
Wards affected:	(All Wards);
Appendices (attached):	**Appendix 1** – Proposed updates to Appendix 2.1 of the Constitution

Summary

This report proposes updates to the Council's Live Register of Officer Delegations, for adoption.

Recommendation (s)

The Council is asked to:

(1) Approve and adopt the updates to the Constitution as set out in Appendix 1 of this report.

1 Reason for Recommendation

1.1 To update the Council's Live Register of Delegations so as to ensure that the officer roles identified within Appendix 1 are empowered to conduct their daily work with any necessary delegated authority.

1.2 Following a review of working practices by the Parking and Enforcement Manager and Head of Housing and Community within their departments, an update to the Council's Scheme of Delegation is brought to Full Council for its approval.

2 Background

<u>Parking and enforcement</u>

2.1 Officers have delegated authority under the 'Epsom & Ewell Borough Council Off Street Parking Places Order March 2022 variation 1'

2.2 The authority provided to officers under that Order includes:

2.2.1 To charge a lost token fee or make a discretionary decision about a parking charge within our car parks

2.2.2 To refuse entry to a vehicle into a Borough Council car park in situations such as if it is deemed to be in breach of a height or weight restriction or suspected of seeking unlawful encampment.

2.2.3 To negotiate and agree a discounted rate of parking for an individual or a group within any of the Borough Council Car Parks.

2.2.4 To negotiate and agree on a discounted rate or change of location for a parking permit within any of the Borough Council Car Parks

2.3 The Council is currently in the process of implementing a new Traffic Order that will replace the current Order, so it is necessary to amend the current delegation to reflect this as well as removing reference to charging for a lost token fee as this no longer applies in practice.

Housing Services

2.4 It is recommended that an update to an existing delegation set out within Appendix 2.1 (Delegation HS4) is adopted so as to ensure that new officer posts within the Housing Services Team are empowered to conduct their daily work with any necessary delegated authority.

2.5 The proposed additions to Appendix 2.1 are attached to this report – Appendix 1 - any changes or new provisions are included in red text.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None of the proposed changes are believed to trigger the requirement for an Equality Impact Assessment; any impacts are believed to be minimal and positive in nature.

3.2 Crime & Disorder

3.2.1 None.

3.3 Safeguarding

3.3.1 None.

3.4 Dependencies

3.4.1 The council’s constitution is its primary governance document. Therefore, much of the council’s business and operations depends on its contents.

3.5 Other

3.5.1 None

4 Financial Implications

4.1 **Section 151 Officer's comments**: There are no direct financial implications arising from the proposed updates to the Constitution. The changes clarify officer delegations and do not affect the Council's budget or financial position.

5 Legal Implications

5.1 **Legal Officer's comments**: Any relevant comments are contained within the body of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities**: The following Key Priorities are engaged:

- Effective Council

6.2 **Service Plans**: The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations**: None arising from the contents of this report.

6.4 **Sustainability Policy & Community Safety Implications**: None arising from the contents of this report

6.5 **Partnerships**: Not applicable.

6.6 **Local Government Reorganisation Implications**: None arising from the contents of this report

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None.

Other papers:

- Constitution of Epsom and Ewell Borough Council.