

Delegation to Officers

Delegation to Chief Executive

Corporate Directors and Heads of Services (this term includes the Director and Assistant Director of Commercial Services)

[Return to contents page](#)

- (1) Matters relating to Recruitment, Selection and termination of employment, Pay, Employment Benefits, Training and Development and other provisions relating to employees of the Council contained from time to time in the Council's Personnel Policies and Procedures documentation.
- (2) Attendance of Officers at Conferences etc.
- (3) To enter into and sign contracts with public utilities, authorities or other bodies where such contracts are regarded as routine commercial matters authenticated by the signature of an officer of the utility, authority or body provided that the contract is within the sum allowed in the Council's estimates and/or Financial Regulations.
- (4) To authorise staff to attend meetings and seminars arranged by the relevant professional associations.
- (5) To terminate employment in case of ill health/capability in consultation with the Head of Personnel.
- (6) To dismiss staff in accordance with the Council's disciplinary procedure.
- (7) In the absence of the Chief Executive, Mr B. Sully Corporate Director, and in the absence of both the Chief Executive and Mr Sully, Ms C. Cahill Corporate Director be authorised to exercise the powers and duties of the Chief Executive.
- (8) That the appropriate Heads of Service be delegated the authority to amend charges to reflect changes in VAT rates.
- (9) That the appropriate Head of Service in consultation with the Head of Finance be delegated authority to agree the introduction of a charge for a new Council activity.
- (10) That in the absence of an Head of Service those matters delegated to any Head of Service be delegated to the Chief Executive or either of the Corporate Directors.
- (11) That Head of Service may make arrangements for any functions delegated to them to be carried out by other officers in their name

- (12) That the Chief Executive, Directors and Heads of Service be authorised in consultation with the Head of Finance, the Monitoring Officer and the Leader to settle complaints against the Council up to the amount of £1000 per complaint.
- (13) In consultation with the Head of Personnel and the Head of Finance to make minor changes to the establishment within the approved budget. In the event that either the Head of Personnel or the Head of Finance is proposing the changes, within her or his Service consultations shall be with the Chief Executive and the Head of Personnel or the Head of Finance whichever is not proposing the change.
- (14) To issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000. NOTE: When knowledge of confidential information is likely to be acquired authorisations shall only be issued by the Chief Executive or his Head of the Paid Service or in his absence either of the Corporate Directors.
- (15) That the holders of the following posts be authorised to act as the nominated consultee and to give consent on behalf of the council, to the Police under Parts 1 and 4 of the Anti-Social Behaviour Act 2003:

<u>PostNo</u>	<u>Title</u>
CE1	Chief Executive
CE2	Corporate Director
CE3	Corporate Director
HS1	Head of Housing

Delegation to Authorised Signatories, Contracting Officers and Contract Managers

- 1.1 Where it is a part of the duties of an officer to exercise the function of an Authorised signatory or a Contracting Officer or a Contract Manager then that officer be authorised to sign contracts. Such signatures shall be countersigned by the Head of Service or an officer to whom the functions of a Head of Service are delegated under delegation (10) of Delegation to Chief Executive, Corporate Director s, and Heads of Services and

- 1.2 The names of such officers authorised under the provisions of this delegation shall be notified by the Head of Service to the Head of Finance acting as the Council's Chief Financial Officer together with details of the maximum value up to which individual officers are authorised to sign and a description of the type of contracts so authorised.

Delegation to Monitoring Officer

1. To make amendments and consequential amendments to the Council's Constitution to give effect to any Council resolution and/or any statutory requirement.

Delegation to Chief Executive

- (1) To inform the Council's Bank of the identity of the Council's S151 Officer
- (2) To do anything, in consultation with the Leader, which is calculated to facilitate, or is conducive or incidental to, the discharge of the Council's functions subject to:
 - (i) the matter being regarded as an emergency or urgent situation; and
 - (ii) a report back to the Council, Executive or Committee concerned.
- (3) In the event of a civil emergency to take such action as he considers appropriate to deal with the emergency
- (4) To amend the listings of the Council's Publication Scheme produced in accordance with the Freedom of Information Act 2000, within the existing Information Classes

Delegation to S151 Local Government Act 1972 Proper Officer

- (1) To issue instructions as to whom may withdraw or deal with any of the Council's property or securities.
- (2) To issue instructions and sign any agreement with regard to the purchase or sale of foreign exchange and/or securities.
- (3) To sign the mandat to the Council's Bank for the signing of cheques by authorised facsimile signatories.
- (4) To sign the mandat to the Council's Bank for the use of codes by authorised officers in providing instructions to the Bank.
- (5) To make arrangements for the carrying out in his name of all or any of his powers referred to herein by such person or persons as he considers appropriate.
- (6) In the absence of the S151 Proper Officer the Chief Internal Auditor be authorised to exercise the powers and duties of the S151 Proper Officer.

Delegation to Director of Commercial Services

- (1) To tender for individual contracts with other public bodies (being a body within the Local Government (Goods and Services) Act 1970) as follows:
- Up to £50,000 in consultation with the Heads of Finance of the 2 authorities [Test Valley Borough Council and New Forest District Council]
 - Between £50,000 and £250,000 in consultation with the Chairman and vice-Chairman of the Commercial Services Joint Committee and the Heads of Finance of the 2 authorities
 - Above £250,000 and up to the maximum of £650,000 to be approved by the Commercial Services Joint Committee

Subject in each case to report back to the Commercial Services Joint Committee on successful tenders

No contracts shall have a term exceeding 5 years.

To incur expenditure outside the provision of revenue estimates, and in addition to that identified in the Commercial Services Business Plan, where that expenditure is required to satisfy the bid in the event that the tender is successful subject to:

The Director being satisfied that the income from the resulting contract at least matches expenditure.

Delegation to Director and Assistant Director of Commercial Services

- (1) To replace plant not covered by insurance from the New Forest Commercial Services Reserve Fund or the Test Valley Reserve Fund as appropriate.
- (2) That the holders of the following posts be authorised:-
- (i) to give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto
 - (ii) to enter land or premises and to carry out any act included in the legislation set out below and any subordinate legislation made thereunder and any amendments thereto

Version dated 30 November 2006

Environmental Protection Act 1990, Dogs (Fouling of Land) Act 1996, Clean Neighbourhoods and Environment Act 2005 (in so far as they relate to matters pertaining to litter and dog control) and fixed penalty notices and associated

CN7	Cleansing Manager
CN9	Cleansing Supervisor
CN12	Waste Collection Supervisor
CN13	Waste Collection Supervisor
CN14	Cleansing Foreman
PK32	Grounds Maintenance Foreman
PK49	Grounds Maintenance Foreman

Delegation to Head of Administration

[Return to contents page](#)

- (1) To administer the Hypnotism Act 1952 including the institution of proceedings for breaches of the Act and Section 12 of the Local Government Act 1982. (Miscellaneous Provisions)
- (2) In respect of small lotteries:-
 - (a) To register (but not to refuse to register) societies for the conduct of small lotteries.
 - (b) To cancel registrations upon application from any society.
 - (c) To excuse payment of annual fees where a registration is cancelled within 4 months of the 1st January.
- (3) To grant or renew (but not refuse) permits for amusements with prizes.
- (4) To deal with applications received relating to the issue/renewal/transfer of Bingo Club licences including if necessary the submission of holding objections to the Clerk to the Justices pending report to the Licensing Committee.
- (5) To issue licences under S.2 of the House-to-House Collections Act, 1939, as amended after suitable attempts at liaison and after making such enquiries as may be necessary.
- (6) To allocate street collections.
- (7) To issue, suspend, revoke or refuse hackney carriage and private hire licences under the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and to issue notices exempting private hire vehicles from displaying the private hire vehicle plate under the provision of Section 75(3) of the Act.
- (8) Issue of Licences in respect of Money Lenders and Pawn Brokers (subject to periodic reports to the Licensing Committee on Licences issued).
- (9) To convene meetings of working parties, panels and other meetings in which members are involved.
- (10) Following consultation with the Leader, to approve the attendance of Members at conferences and meetings including the payment of travelling and subsistence allowances.
- (11) To determine all applications and decide all other matters in relation to the licensing functions set out in the Licensing Act 2003 and any amending legislation save for those applications and matters expressly excluded from delegation to officers by that legislation.
- (12) To determine applications made pursuant to the Licensing Act 2003 and any amending legislation where the holding of a hearing has been dispensed with in accordance with Regulations made thereunder.

- (13) To reject representations under the Licensing Act 2003 which he considers to be vexatious, frivolous or repetitive
- (14) To determine all applications and decide all other matters in relation to the licensing functions set out in the Gambling Act 2005 and any amending legislation save for those applications and matters expressly excluded from delegation to officers by that legislation
- (15) To determine applications made pursuant to the Gambling Act 2005 and any amending legislation where the holding of a hearing has been dispensed with in accordance with Regulations made thereunder
- (16) To reject representations under the Gambling Act 2005 which he considers to be vexatious, frivolous or repetitive
- (17) To grant, with or without conditions, or refuse applications for a licence to place tables and chairs on the highway in accordance with the Highways Act 1980 including the suspension of such licences
- (18) To amend the scheme for the Licensing of Tables and Chairs on the highway save for any significant amendments which shall be referred to the Executive
- (19) To establish an Independent Review Panel for a period of four years to review Members Allowances and to pay consultancy fees to the Chairman of the Panel.
- (20) To make recommendations under the Licensing Act 2003 as to the restriction of admission of children to non-classified films, or a particular classified film, save always to his discretion to refer a film to a licensing sub-committee for determination of the appropriate recommendation.
- (21) That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made hereunder and any amendments thereto set out in the:

Local Government (Miscellaneous Provisions) Acts 1976 & 1982

Town Police Clauses Acts 1847 & 1889

Public Health Acts 1875 & 1936

House to House Collections Act 1939

Hypnotism Act 1952

Gaming Act 1968

Lotteries and Amusements Act 1976

Police, Factories Etc. (Miscellaneous Provisions) Act 1966

Licensing Act 2003

Version dated 30 November 2006

<u>PostNo</u>	<u>Title</u>
AD4	LicensingManager
AD22	AdministrativeAssistant

Delegation to Head of Environment and Health

[Return to contents page](#)

With the exception of any matters within following legislation specifically delegated to any other Head of Service, the following functions be delegated to the Head of Environment and Health in respect of the legislation contained in paragraph (23) and any subsequent Orders or Regulations:-

- (1) To carry out inspections, investigations and interviews as permitted under the relevant legislation.
- (2) To exercise the rights of entry permitted under the relevant legislation.
- (3) To undertake sampling, detection and seizure of goods and materials as permitted under the relevant legislation.
- (4) To inspect and obtain records as appropriate under the relevant legislation.
- (5) To make such records, sketches, and to take such photographs as are permitted under the legislation.
- (6) To make, refuse, or vary such registrations as are applied for, or requested, under the legislation and to maintain appropriate registers.
- (7) To grant, refuse, or vary authorisations and licences as are applied for under the legislation.
- (8) To make charges, agree contracts, make expenditure, authorise work in default, and allocate grant aid as permitted within approved budget and legislation.
- (9) To advise upon compliance with relevant legislation, to formally notify contraventions of the legislation, as necessary, and to serve Notices relating to contraventions of the legislation or Notices seeking information relating to such contraventions.
- (10) To prepare reports for legal proceedings in the event of contravention of legislation and issue instructions to the Council's Solicitor to take legal proceedings.
- (11) To respond to consultations relating to technical and legal matters which are delegated.
- (12) To promote and publicise compliance with legislation, good health and good environmental practice.
- (13) To provide services relating to Environment and Health matters, as permitted under the relevant legislation
- (14) To grant, with or without conditions, or to refuse applications for and to revoke street trading licences or consents. To make charges for such grants up to the limit stipulated in the Council's budget.

- (15) To grant in respect of Romsey street trading licences or consents, permitting trading up to 22.00 hours in Romsey, subject to review on receipt of any further evidence of public order concerns, which would require consideration of alternative permitted hours except that such consents may be issued for hours extending beyond 22.00 hours in consultation, with the appropriate Portfolio Holder, for special events .
- (16) To carry out investigations and to obtain, issue, give or publish notices or orders for the control of infectious disease as permitted under the relevant legislation
- (17) To agree in consultation with the Portfolio Holder the payment of additional grant above the £15,000.00 maximum for Discretionary Renovation Grants (DRGs) in appropriate circumstances
- (18) In consultation with the Health Improvement and Social Inclusion Panel, to authorise expenditure from the Health Improvement and Social Inclusion Fund
- (19) That the holders of the following posts who are qualified in accordance with the legislation be appointed as Health and Safety Inspector under S19 of the Health and Safety at Work etc. Act 1974 and any other relevant statutory provisions and authorised to exercise the powers contained in the sections of the Health and Safety at Work etc. Act 1974 set out below

Post No.	Designation	
EH1	Head of Environment and Health – Sections 20, 21, 22, 25 and 39	1, 22, 25 and 39
EH31	Health Protection Manager – Sections 20, 21, 22, 25 and 39	, 25 and 39
EH28	Principal Environmental Health Officer (Commercial) – Sections 20, 21, 22, 25 and 39	22, 25 and 39
EH40	Senior Health Protection Officer – Sections 20, 21, 22, 25 and 39	21, 22, 25 and 39
EH39	Senior Health Protection Officer – Sections 20, 21, 22, 25 and 39	, 21, 22, 25 and 39
EH20	Environmental Protection Manager – Sections 20, 21, 22, 25 and 29	21, 22, 25 and 29
EH61	Principal Environmental Health Officer (Pollution) – Sections 20, 21, 22, 25 and 39	tion) – Sections 20, 21, 22, 25 and 39
EH59	Environmental Health Officer – Sections 20, 21, 22, 25 and 39	22, 25 and 39
EHT1	Temporary Environmental Health Officer – Sections 20, 21, 22, 25 and 39	ns 20, 21, 22, 25 and 39
EH62	Principal Environmental Health Officer (Housing) – Sections 20, 21, 22, 25 and 39	ng) – Sections 20, 21, 22, 25 and 39
EH68	Environmental Health Officer – Sections 20, 21, 22, 25 and 39	22, 25 and 39
EH69	Environmental Health Officer – Sections 20, 21, 22, 25 and 23	22, 25 and 23
EH26	Animal Welfare Technician – Section 20	

- (20) That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto set out in the authorisation matrix

AUTHORISATION MATRIX-FOOD

(X=AUTHORISED)

(EH1)	Head of Environment & Health	
(EH31)	Health Protection Manager	
(EH20)	Environmental Protection Manager	
(EH28)	Principal Environmental Health Officer (Commercial)
(EH61)	Principal Environmental Health Officer (Pollution)
(EH62)	Principal Environmental Health Officer (H	ousing)
(EH68)	Environmental Health Officer	
(EH69)	Environmental Health Officer	
(EH59)	Environmental Health Officer	
(EH40)	Senior Health Protection Officer	
(EH38)	Health Protection Officer	
(EH10)	Health Protection Officer	
(EH82)	Environmental Health Officer	

	EH1	EH31	EH20	EH28	EH61	EH62	EH68	EH69	EH59	EH40	EH38	EH10	EH82
The Food Hygiene (England) Regulations 2006	X	X	X	X	X	X	X	X	X	X	X	X	
European Communities Act 1972	X	X	X	X	X	X	X	X	X	X	X	X	
Public Health (Control of Disease) Act 1984, Part 1, 2, 3, 5 and 6	X	X	X	X	X	X	X	X	X	X	X	X	X
Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999	X	X	X	X	X	X	X	X	X	X	X	X	
EU Food Hygiene Regulation 852/2004	X	X	X	X	X	X	X	X	X	X	X	X	
EU Food Hygiene Regulation 853/2004	X	X	X	X	X	X	X	X	X	X	X	X	
EU Food Hygiene Regulation 854/2004	X	X	X	X	X	X	X	X	X	X	X	X	

	EH1	EH31	EH20	EH28	EH61	EH62	EH68	EH69	EH59	EH40	EH38	EH10	EH82
EU Food Hygiene Regulation 178/2002	X	X	X	X	X	X	X	X	X	X	X	X	X
The Meat (Enhanced Enforcement Powers) (England) Regulations 2000	X	X		X			X	X					X
The Product of Animal Origin (Third Country Imports) (England) (No 4) Regulations 2004	X	X		X			X	X					X
The Transmissible Spongiform Encephalopathy (England) Regulations 2002	X	X		X			X	X					X
Imported Food Regulations 1997	X	X		X			X	X					X
Product of Animal Origin (Import and Export) Regulations 1996	X	X		X			X	X	X	X			X
General Food Regulations 2004	X	X	X	X	X	X	X	X	X	X	X	X	X

Above authorisation 'stocomeinto effect on 1st January 2006.

- (21) That the holders of the following posts who are qualified in accordance with the legislation be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto, set out in paragraph (23) hereof

Post No.	Designation
EH1	Head of Environment and Health
EH31	Health Protection Manager
EH28	Principal Environmental Health Officer (Commercial)
EH40	Environmental Health Technician
EH39	Safety Officer/Technician
EH10	Environmental Health Technician
EH38	Environmental Health Technician
EH20	Environmental Protection Manager
EH61	Principal Environmental Health Officer (Pollution)
EH62	Principal Environmental Health Officer (Housing)
EH59	Environmental Health Officer
EH27	Environmental Health Technician
EH33	Environmental Health Technician
EH35	Environmental Health Technician
EH26	Technician (Animal Welfare)
EH11	Scientific Officer
EH58	Dog Warden
EH6	Environmental Health Technician
EH46	Environmental Health Technician
EH8a	Environmental Health Officer
EH60	Environmental Health Technician
EH45	Environmental Services Manager
EH4	Waste Management Officer
EH19	Waste Management Officer
EH57	Environmental Supervisor
EH51	Environmental Supervisor
EH23	Pest Control Officer
EH22	Pest Control Officer
EH21	Pest Control Officer
EHT1	Temporary Environmental Health Officer
EH68	Environmental Health Officer
EH69	Environmental Health Officer
EH70	Principal Environmental Services Officer
EH71	Recycling Officer
EH72	Recycling Officer
EH74	Environmental Enforcement Officer
EH75	Environmental Enforcement Officer

(22) To determine applications made pursuant to the Private Sector Housing Renewal Policy and to make such grants and loans as applicable and to instruct the Head of Legal Services to complete such legal agreements or legal charges as the Head of Legal Services considers appropriate

(23) Building Act 1984.

Caravan Sites & Control of Development Act 1960.

Housing Acts 1957 to 1996.

Local Government (Miscellaneous Provisions) Acts 1976 & 1982 .

Housing Grants, Construction & Regeneration Act 1996.

Local Government & Housing Act 1989.

Prevention of Damage by Pests Act 1949.

Public Health Acts 1936 to 1961.

Clean Air Acts 1993.

Control of Pollution Act 1974.

Home Energy Conservation Act 1995.

Environment Act 1995.

Environmental Protection Act 1990.

Noise & Statutory Nuisance Act 1993.

Food Safety Act 1990.

Water Industry Act 1991.

Criminal Justice & Public Order Act 1994.

Animal Boarding & Establishment Act 1963.

Animal Health Act 1981.

Breeding of Dogs Act 1973.

Dangerous Wild Animals Act 1976.

Pet Animals Act 1951.

Riding Establishments Act 1964.

Zoo Licensing Act 1981.

Food & Environmental Protection Act 1988.

Hampshire Act 1983.

Health & Safety at Work, etc. Act 1974.

Factories Act 1961.

Offices, Shops & Railway Premises Act 1963.

Public Health (Control of Disease) Act 1984.

Shops Act 1950.

Refuse Disposal (Amenity) Act 1978.

Sunday Trading Act 1994.

Dogs (Fouling on Land) Act 1996

National Assistance Act 1948.

Litter Act 1993.

Vehicle (Crimes) Act 2001

Pollution Prevention and Control Act 1999

Anti-Social Behaviour Act 2003 Part 6

Noise Act 1996

Clean Neighbourhoods and Environment Act 2005

Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

(24) That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto set out in the:

Local Government (Miscellaneous Provisions) Act 1976 & 1982
 Town Police Clauses Acts 1847 & 1889
 Public Health Acts 1875 & 1936
 Hypnotism Act 1952
 Cinematograph Acts 1909 & 1952
 Cinemas 1985
 Sunday Entertainments Act 1932
 Theatres Act 1968
 Fire Safety and Safety of Places of Sport Act 1987
 Licensing Act 2003 (from commencement in February 2005)

Post No	Designation
EH1	Head of Environment & Health
EH31	Health Protection Manager
EH45	Environmental Services Manager
EH20	Environmental Protection Manager
EH70	Principal Environmental Services Manager
EH28	Principal Environmental Health Officer (Commercial)
EH62	Principal Environmental Health Officer (Housing)
EH61	Principal Environmental Health Officer (Pollution)
EH68	Environmental Health Officer
EH69	Environmental Health Officer
EH59	Environmental Health Officer
EH4	Waste Management Officer
EH51	Environmental Supervisor
EH57	Environmental Supervisor
EH19	Waste Management Officer
EH38	Environmental Health Technician (Commercial)
EH10	Environmental Health Technician (Commercial)
EH40	Environmental Health Technician (Commercial)
EH39	Health & Safety Officer
EH46	Environmental Health Technician (Housing)
EH60	Environmental Health Technician (Housing)
EH6	Environmental Health Technician (Housing)
EH33	Environmental Health Technician (Pollution)
EH27	Environmental Health Technician (Pollution)
EH11	Scientific Officer
EH35	Environmental Health Technician (Pollution)

(25) That the holders of the following posts be authorised:-

- (i) to give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto

- (iii) to enter land or premises and to carry out any act included in the legislation set out below and any subordinate legislation made thereunder and any amendments thereto

Environmental Protection Act 1990, Anti-social Behaviour Act 2003, Dogs (Fouling of Land) Act 1996, Clean Neighbourhoods and Environment Act 2005.

Post Number	Designation
EH31	Health Protection Manager
EH28	Principal Environmental Health Officer (Commercial)
EH40	Senior Health Protection Officer
EH20	Environmental Protection Manager
EH61	Principal Environmental Health Officer (Pollution)
EH59	Environmental Health Officer
EHT1	Temporary Environmental Health Officer
EH62	Principal Environmental Health Officer (Housing)
EH68	Environmental Health Officer
EH69	Environmental Health Officer
EH26	Environmental Protection Officer
EH27	Environmental Protection Officer
EH33	Environmental Protection Officer
EH35	Senior Environmental Protection Officer
EH58	Dog Warden
EH06	Environmental Protection Officer
EH46	Environmental Protection Officer
EH8a	Environmental Health Officer
EH60	Senior Environmental Protection Officer
EH45	Environmental Services Manager
EH04	Senior Environmental Services Officer
EH19	Senior Environmental Services Officer
EH57	Environmental Services Officer
EH51	Environmental Services Officer
EH70	Principal Environmental Services Officer
EH71	Recycling Officer
EH72	Recycling Officer
EH74	Environmental Enforcement Officer
EH75	Environmental Enforcement Officer
EH82	Environmental Health Officer

- (26) That the following postholders are authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000

Post No	Designation
EH31	Health Protection Manager
EH20	Environmental Protection Manager

Version dated 30 November 2006

EH28	Principal Environmental Health Officer (Commercial)
EH61	Principal Environmental Health Officer (Pollution)
EH62	Principal Environmental Health Officer (Housing)
EH45	Environmental Services Manager

- (27) That the postholders of the Environment and Health Services set out in the authorisation matrix attached to the report be authorised to enter premises and carry out any act included in the legislation made thereunder, and any amendments thereto
- (28) That the functions delegated to the Head of Environment and Health be conferred to the holder of the post, EH82 – Environmental Health Officer. In addition the postholder, being qualified in accordance with the relevant legislation, be appointed as a Health & Safety Inspector with powers under Sections 19, 20–22, 25 and 39 of the Health & Safety at Work etc. Act 1974 and any other relevant statutory provisions
- (29) That the Head of Environment and Health be authorised to determine appeals against the giving of a Fixed Penalty Notice following consideration by an Appeal Panel constituted as set out in the report to the Executive dated 3 May 2006
- (30) To exercise discretion in agreement with the Environment and Health Portfolio Holder to continue the use of a Home Improvement Agency pending satisfactory performance and value for money assessment.

Delegation to Head of Estates & Economic Development

- (1) To enter into licences for the assignment of leases and for sub-letting or underletting.
- (2) To grant consent for the change of use of Council premises where such consent is necessary under the provisions of the lease and appropriate.
- (3) To authorise any lettings where the rent does not exceed £ 25,000.00 per annum
- (4) To authorise rent reviews and renewals of leases.
- (5) To be responsible for all aspects of overall Estate Management in relation to Council-owned properties including the authorisation of proceedings against Council tenants for rent arrears or any other breach of lease covenants including forfeiture.
- (6) To be responsible for conducting negotiations on the Council's behalf in relation to the sale or acquisition of any property.
- (7) To select tenants for the Walworth Enterprise Centre and to grant them licences to occupy and to terminate their occupations if they do not prove suitable and to manage the Centre including contract cleaning, repairs/maintenance/alteration up to a value laid down by the Council from time to time and the collection of rent/rate and gas/electricity bills.
- (8) To grant consent for alterations and additions to premises to tenants of Council sites and buildings.
- (9) To authorise variations to the terms of leases, licences, easements, wayleaves, covenants, acceptance of surrenders and any other legal arrangement where the consideration for the variation does not exceed £10,000.00 per annum or a premium payment of £100,000.00 and where the Council's economic or financial interest is not harmed or disadvantaged.
- (10) To give approval to applications from firms on the industrial estates to sublet for periods of 21 years or less small parts of their sites to electricity suppliers for substation sites to serve the firm's premises.
- (11) To agree the siting of electricity substations and gas governors with the appropriate authorities subject to the usual rent terms and, if necessary, contributions payable either in respect of screening and/or fencing, and to grant the relevant leases.
- (12) To sell sites to electricity suppliers for use as electricity substations sites.
- (13) To grant wayleaves to statutory undertakers and other third parties over and under land owned by the Council.
- (14) To invite and accept tenders and negotiate suitable terms for the temporary use of any

- suitable area of land for hay crops and arable land and licences and Farm Business Tenancies. grant suitable short term
- (15) To review mowing, grazing licences, agricultural tenancies and farm business tenancies for further temporary periods.
- (16) To grant easements in, over or through Council land on terms to be agreed by the Officers subject to consultation with other departments where appropriate.
to consultation with other departments.
- (17) To let market pitches in accordance with the Council's policy.
- (18) To serve Notice to Quit on stallholders at the Andover Market if they are not conforming with the terms of their Agreement.
- (19) To be the Authorised Market Officer for the purposes of the Food Act 1985 and any statutory enactment and to be responsible for all aspects of administering Markets in Andover.
- (20) To dispose of land in consultation with the Economic Portfolio Holder and the Head of Finance where the consideration is £25,000.00 or less.
- (21) In consultation with Economic Portfolio holder and the Head of Finance to have authority to issue Business Incentive Grants of £500 each to qualifying persons.
- (22) To authorise in consultation with the Economic Portfolio Holder and the Head of Finance, the acquisition in accordance with Council Policy and Strategy of land and/or premises subject to the purchase price not exceeding £25,000.00.
- (23) To grant licences for temporary/short-term works on Council-owned land.
- (24) To approve in consultation with the Head of Finance appropriations between relevant function areas and statutory holding powers, except where public notice of the proposed appropriation is required and objections are received.
- (25) To exercise the powers and duties of the Council under the Landlord and Tenant (Covenants) Act 1995.
- (26) To approve, in consultation with the Head of Legal Services, occupation of council owned premises by a third party in the absence of completed formal documentation in cases of emergency.
- (27) Subject to the Council's Financial and Contract Standing Orders, to be responsible for the appointment of external consultants to advise and/or act for the Council in negotiations and/or transactions relating to any of the above matters.
- (28) In the case of delegations (1), (2), (3), (8), (9), (13), (16), (20) and (23) above any transaction involving the possible installation of one or more telecommunications

Version dated 30 November 2006

masts and/or associated ancillary equipment on Council-owned land or buildings shall be referred to the Council's Executive for consideration and approval.

- (29) To, in consultation with the Head of Planning, give consent to advertise on Council owned property on such terms as he considers appropriate provided there is no cost to the Council and that the Head of Planning be consulted before any advertisement is displayed by the Council.

Delegation to Head of Finance

[Return to contents page](#)

- (1) To determine the use of capital receipts in the future on the basis that the maximum amount of receipts allowed would be used for capital expenditure and no voluntary set aside would be made.
- (2) To certify Housing Association schemes to the Housing Corporation on behalf of the Council.
- (1) To determine changes to the rate of interest on mortgage loans etc under section 438 and schedule 16 of the Housing Act 1985 and in accordance with those provisions.
- (2) To countersign payments and sign instructions to the Council's Bank.
- (3) To agree and sign any contract agreement or other document with the Council's bank for the provision of banking services involving the giving of instructions by the Council to the Bank by electronic or similar means (whether any such instruction and/or information relates to the making or authorisation of any payment or other order).
- (4) Romsey Rapids Investment:
That the Head of Legal Services and Head of Finance be authorised to make changes to the existing management agreement from 2005/06 onwards consistent with the financial and performance scenario outlined in Section 7 (Executive 09/02/05 Item 16).
- (5) To exercise borrowing powers contained in the Local Government and Housing Act 1989 and the Local Government Finance Act 2003 during the financial year ending 31 March 2006.
- (6) To enter into leasing arrangements on behalf of the Authority for items approved for the year ended 31 March 2006.
- (7) That the following postholders are authorised to countersign payments and sign instructions to the Council's Bank:
FN7 Chief Internal Auditor.
- (8) That the following postholder is authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.
FN7 Accountancy and Audit Manager.
- (9) To take all actions she/she considers appropriate for recovery of Council debts.
- (10) To take all necessary administrative action involving the Council on superannuation matters.
- (11) To make all payments within the Council's Financial Regulations and/or legally payable.
- (12) To implement decisions of the appropriate National Negotiating Bodies regarding rates of pay for workmen and staff.

Version dated 30 November 2006

- (13) To grant loans for car purchase to persons coming within the Council's approved schemes.
- (14) To vary the Council's Contract Car Hire Scheme in line with variations to the NJC Scheme.

Delegation to Head of Housing

[Return to contents page](#)

- (1) In cases of emergency, the Head of Housing be authorised to carry out the Council's function under Section 33 of the Local Government (Miscellaneous Provisions) Act 1976.
- (2) Discretionary decisions concerning the nomination of special cases from the Housing Register be delegated to the Head of Housing, subject to informing the Portfolio Holder for Social Well-being prior to notifying the applicant.
- (3) To sign notices to quit in respect of temporary accommodation occupied by the homeless.
- (4) To review homeless decisions under Section 202 of the Housing Act 1996 as amended by the Homelessness Act 2002, and in view of likely media interest, to inform the Portfolio Holder for Social Well-being of the decision that have been taken.
- (5) To determine homeless applications under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002.
- (6) To conduct jointly or severally with the Housing Needs Manager reviews of adverse decisions relating to registration on the Housing Register.
- (7) To determine any matter relating to:
 - a) transfer of accommodation
 - b) nomination to Registered Social Landlords
 - c) allocation of temporary accommodation for homeless applicants
 - d) payment of removal expenses in appropriate cases
 - e) emergency arrangements
- (8) To deal with applications under the Rent (Agriculture) Act 1976.
- (9) To enter into leases of individual properties with private owners in order to secure temporary accommodation for homeless households.
- (10) Consultations with tenants under the Housing Act 1985.
- (11) To agree transfers of tenants on management grounds as proposed by Registered Social Landlords.
- (12) To approve home loss payments, removal and relocation allowances in accordance with any scheme approved by the Council.
- (13) To investigate allegations of harassment and threats by any illegal evictions.
- (14) To review and determine appeals lodged by Housing Register applicants under Section 164 of the Housing Act 1996.

- (12) After consultation with the Head of Legal Services, to enter into short term leases as they consider appropriate on terms to be agreed by them and to administer the short term letting scheme to accommodate homeless persons.
- (13) To transfer funding between schemes and programmes within the approved Housing Investment Programme, subject to reporting such changes to the next appropriate meeting of the Executive.
- (14) That the following postholder is authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000
 HS10 Community Safety Manager
- (15) That the Housing Needs Manager (Postholder HS70) be authorised to conduct homelessness reviews under S202 of the Housing Act 1996 (as amended by the Homelessness Act 2002)
- (16) To approve grant funding in accordance with the Affordable Housing Grants Policy
- (17) That the holders of the following posts be authorised:
 - (i) to give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto
 - (ii) to enter land or premises and to carry out any act included in the legislation set out below and any subordinate legislation made thereunder and any amendments thereto

Environmental Protection Act 1990, Dogs (Fouling of Land) 1996, Clean Neighbourhoods and Environment Act 2005 (in so far as they relate to fixed penalty notices and associated matters, pertaining to litter and dog control)

HS20	Neighbourhood Warden Manager
HS21	Neighbourhood Warden
HS26	Neighbourhood Warden
HS29	Neighbourhood Warden
HS30	Neighbourhood Warden
HS22	Neighbourhood Warden
HS28	Neighbourhood Warden
HS31	Neighbourhood Warden
HS32	Neighbourhood Warden

Version dated 30 November 2006

(18) *To receive notice of applications and other matters under the Gambling Act 2005 and any amendments thereto and to make written representations upon those applications and other matters and to attend hearings as he considers appropriate*

Delegation to Head of Legal Services

[Return to contents page](#)

A. Legal and Other Proceedings

- (1) The institution, prosecution, amendment or termination of any proceedings, which the Council is empowered to undertake, in or before a court, tribunal or inquiry.
- (2) The defence or settlement of any proceedings brought against the Council.
- (3) The taking of any action incidental or conducive to or which would facilitate any action under (1) or (2) above.
- (4) The obtaining of Counsel's opinion on any matter.

B. Notices

- (1) The issue of Notices on behalf of the Council under Section 112 of the Road Traffic Regulation Act 1984, requiring information to be given as to the identity of a driver alleged to be guilty of an offence.
- (2) The issue of Notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 330 of the Town and Country Planning Act 1990 where he deems it necessary to secure information about land to enable the Council to exercise its functions.

C. Miscellaneous

- (1) In all cases where a mortgagor is three months in arrears with payments under the mortgage to obtain possession of the property and there recovery of all monies owed to the Council. arrange for its sale and
- (2) To give approval to the carrying out of all works to properties which are the subject of small dwellings mortgages or housing act advances provided the security of the Council is not thereby adversely affected.
- (3) To make applications under Section 47 of the National Assistance Act 1948 and Section 1 of the National Assistance (Amendment) Act 1951 upon receiving representations from the Proper Officer.
- (4) To recover the cost of works in default under Section 193 and Schedule 10 of the Housing Act 1985 relating to repairs to privately rented dwellings.
- (5) To sign a waiver relating to House Renovation Grants limiting repayment to the nominal sum of 5p in the event of the lender having to exercise its power of sale subject to the payment to the Authority of any proceeds of sale held by the lender after full repayment of outstanding mortgage debt and proper costs to a maximum of the grant repayment.
- (6) To transfer open space, landscaping and recreational facilities on private residential developments by way of adoption subject to the developer paying a capital sum for maintenance calculated by the Head of Leisure and to the

- landscaping, open space or recreational facilities being completed to the satisfaction of the Head of Leisure.
- (7) To enter into agreements in respect of application to retain and maintain trees, shrubs, plants or grass in part of a highway verge.
 - (8) To sign releases of mortgages granted by the Council if provided such repayment has been made
 - (9) To sign notices, orders or other documents made or issued by the Council.
 - (10) To close streets for public processions, rejoicings or illuminations under section 21 of the Town Police Clauses Act 1847.
 - (11) After consultation with the Chairman of the appropriate Development Committees to lodge an objection or representations as to the imposition of conditions on an application for an Operators Licence in those cases where the operating centre would be unsuitable for use as such on environmental grounds in accordance with the provisions of the Goods Vehicles (Licensing of Operators) Act 1995.
 - (12) To authorise the postponement of the Council's discount charge relating to former Council houses
 - (13) To amend the Licensing Committee and Licensing Sub-Committee Procedure Rules to give effect to legislative changes.
 - (14) Romsey Rapids Investment:
That the Head of Legal Services and Head of Finance be authorised to make changes to the existing management agreement from 2005/06 onwards consistent with the financial and performance scenario outlined in Section 7 (Executive 09/02/05 Item 16)
 - (15) To complete legal agreements or legal charges pursuant to the Private Sector Housing Renewal Policy and to register such documents as appropriate at HM Land Registry.
 - (16) To authorise the postponement of a Legal Charge created pursuant to the Private Sector Housing Renewal Policy

Delegation to Head of Leisure

[Return to contents page](#)

- (1) Day-to-day control and management of Council tourism and leisure facilities and associated activities and events provided by the Council.
- (2) After consulting the Portfolio Holder, to allow the free use of the Council's outdoor leisure facilities for charitable and community use in accordance with the Council's policy.
- (3) After consulting the Portfolio Holder and in accordance with the Council's policy for support to elite athletes to allow concessionary use of the Council's leisure facilities.
- (4) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (5) To select contractors for invitation or tender on approved schemes.
- (6) To determine applications for grants in accordance with the Council's policy.
- (7) To permit or organise special events on Council land in accordance with the Council's policy.
- (8) To enter into and approve terms of partnership statements in connection with community and arts grants.
- (9) To take all necessary steps to implement projects approved by the Executive or Council.
- (10) After consulting the portfolio holder, allow fee and charges for events and commercial bookings to be agreed (as the market will bear).
- (11) Burial of the Dead under Section 46 of the Public Health (Control of Disease) Act 1984.
- (12) As Registrar of Burials for the Andover, Charlton, Romsey and Woodley Cemeteries, to grant applications for exhumations subject to the payment of the appropriate fee and the applicant obtaining the necessary licence from the Home Office and any necessary faculty.
- (13) As Registrar of Burials for the Andover, Charlton, Romsey and Woodley Cemeteries, to grant applications for maintenance of grave spaces, subject to compliance with the Council's regulations.
- (14) The letting of allotments in accordance with the Council's policy and the allotment garden rules.
- (15) To approve the erection of buildings for the keeping of hens or rabbits or for the storage of tools at any allotments in accordance with the allotment garden rules.
- (16) To serve Notices to Quit on allotment tenants who have not cultivated their allotments in accordance with the allotment garden rules or who fail to comply with the conditions of their tenancy in any other way.

Version dated 30 November 2006

- (17) To allow existing allotment tenants to have an additional 5 rod allotment where there are no applicants on the Waiting List.
- (18) Day to day control, management and maintenance of allotments
- (19) Day to day control, management and maintenance of the cemeteries at Andover, Charlton, Romsey and Woodley in accordance with the Council's policy.
- (20) That the holders of the following posts be authorised:
 - (iii) to give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto
 - (iv) to enter land or premises and to carry out any act included in the legislation set out below and any subordinate legislation made thereunder and any amendments thereto

Environmental Protection Act 1990, Dogs (Fouling of Land) 1996, Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters, pertaining to litter and dog control)

LE25	Countryside Officer North
LE26	Countryside Officer South
LE28	Green Space Officer (subject to member approval 8/2/06)
LE1	Head of Leisure Services
LE24	Parks and Countryside Manager
LE5	Sport and Recreation Manager
LE4	Business Development Manager
LE6	Contracts Monitoring Officer
LE6a	Contracts Monitoring Officer
LE7	Play Development Officer
LE36	Operations Manager for the Cultural Venue for Andover

Delegation to Head of Planning Services

[Return to contents page](#)

- (1) Decisions on all applications, notifications, consultations, negotiations, serving of notices, tree preservation orders and other activities carried out under Town and Country Planning legislation, relevant sections of the Environment Act 1995 and Forestry Act 1967, are delegated to Head of Planning as follows:-
 - (a) Applications which are contrary to the provisions of a previously approved or draft development plan or other statement of approved planning policy and which is recommended for approval.
 - (b) Applications which the Head of Planning considers are of significant local interest or impact.
 - (c) Applications (excluding notifications) where a Member requests in writing, with reasons, within the stipulated time span that they be submitted to Committee.
 - (d) Applications submitted by or on behalf of the Council for its own developments except for the approval of minor developments.
 - (e) The setting of land use planning policy in development briefs, local plan and other policy documents.
 - (f) The setting of policies and criteria for the giving of grants relating to historic buildings, environmental enhancement, urban fringe and other areas for grant giving administered by the Head of Planning.
 - (g) Notifications on which material planning objection(s) has been received within the stipulated time span and no agreement with the Chairman of the appropriate Sub-Committee after consultation with the appropriate Ward Member(s) has been reached.
- (2) Determination of applications (excluding applications for advertisement consent, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights; Schedule 2, Part 1, Classes B, C, E, F, G, and H of the Town and Country Planning (GPDO) 1995 or as amended) on which a material planning objection(s) has been received in the stipulated time span and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.
- (3) The approval of schemes for Environmental Enhancement administered by the Head of Planning and the payment of grants to facilitate those schemes within policy and in accordance with the approved criteria
- (4) That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto, as set out in the:

Town & Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990 990
Planning (Hazardous Substances) Act 1990
The Environment Act 1995
The Forestry Act 1967
Anti-Social Behaviour Act 2003, Part 8

Post No. & Title

PL.1 Head of Planning
PL.2 Development Control Manager
PL.7 Planning Policy Design and Conservation Manager
PL.10 Assistant Planning Policy Manager
PL.11 Planning Officer
PL.12 Planning Officer
PL.13 Team Leader (Trees)
PL.17 Conservation Officer
PL.33 Planning Officer
PL.34 (Senior) Planning Officer (Assistant)
PL.35 Trainee Planning Officer
PL.38 Senior Planning Officer
PL.39 Senior Planning Officer
PL.40 Landscape Architect
PL.41 Historic Buildings Officer
PL.43 Heritage Officer (Archaeology)
PL.49 Team Leader (Enforcement)
PL.50 Compliance Officer
PL.58 Senior Planning Officer (Major Projects)
PL.59 Team Leader (Development Control South)
PL.60 Planning Officer
PL.61 Team Leader (Development Control North)
PL.62 Planning Officer
PL.63 Compliance Officer
PL.65 Enquiry Officer
PL.66 Enquiry Officer
PL.67 Historic Areas Officer
PL.68 Arboricultural Officer
PL.69 Assistant Landscape Officer
PL.70 Enforcement Officer
PL.71 Enforcement Officer
PL.72 Senior Planning Officer (Implementation)
PL.73 Planning Assistant
PL.75 Tree Technician
PL.76 Planning Assistant
PL.77 Planning Assistant
PL.78 Planning Assistant
PL.79 Planning Assistant
PL.83 Senior Planning Officer
PL.84 Senior Planning Officer

- PL85 Senior Planning Officer
- PL86 Planning Assistant
- PLX1 Temporary Planning Assistant
- PLX2 Temporary Planning Assistant
- PLX3 Temporary Planning Assistant

- (5) The issuing of notices pursuant to S171C and S330 Town and Country Planning Act 1990 as amended
- (6) To determine what action should be taken, if any, in relation to notices received pursuant to S23 Local Government (Miscellaneous Provisions) Act 1976 and to instruct the Head of Legal Services to take such steps as she (Head of Planning) considers appropriate in cases where in the opinion of the Head of Planning significant public benefit furthering the Council's corporate objectives and priorities would result from such steps.
- (7) That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto as set out in the:

Local Government (Miscellaneous Provisions) Act 1976

Post No Title

- PL13 Team Leader (Trees)
- PL68 Arboricultural Officer
- PL75 Tree Technician

- (8) That the following postholder be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000
- PL2 Development Control Manager
- (9) To deal with and determine all complaints and issue any notices in relation to high hedges pursuant to Part 8 of the Anti-Social Behaviour Act 2003
- (10) To discharge any of the Council's functions pursuant to the Anti-social Behaviour Act 2003 Part 6 as amended by The Clean Neighbourhoods and Environment Act 2005 in so far as it relates to graffiti and flyposting
- (11) To discharge any of the Council's functions pursuant to The Clean Neighbourhoods and Environment Act 2005 Part 2 in so far as it relates to nuisance parking and Part 4 in so far as it relates to graffiti, flyposting and advertisements.
- (20) That the holders of the following posts be authorised
- (v) to give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto

Version dated 30 November 2006

- (vi) to enter land or premises and to carry out any act included in the legislation set out below and any subordinate legislation made thereunto and any amendments thereto

Anti-social Behaviour Act 2003 Part 6 (insofar as it relates to graffiti and flyposting), Clean Neighbourhoods and Environment Act 2005 Part 2 (insofar as it relates to nuisance parking) and Part 4 (insofar as it relates to graffiti and flyposting and advertisements).

Post Number	Designation
PL63	Compliance Officer
PL71	Enforcement Officer
PL50	Compliance Officer
PL70	Enforcement Officer
PL49	Team Leader (Enforcement)

Delegation to Head of Revenues

[Return to contents page](#)

- (1) To deal with all matters connected with the administration of Council Tax, Business Rates, Residual Community Charge, Housing and Council Tax Benefits and Concessionary Travel excepting such matters as are expressly reserved by legislation for the Council to determine.
- (2) To grant Discretionary Rate Relief under Sections 45 and 47, Local Government Finance Act 1988, Minute 290 Policy and Resources Committee 17 November 1999.
- (3) To grant Hardship Rate Relief under Section 49, Local Government Finance Act 1988 in accordance with the Council's policy.
- (4) To require a Valuation Officer to apportion the value of partly occupied non-domestic hereditaments under Section 44A, Local Government Finance Act 1988.
- (5) To take all actions she/she considers appropriate for recovery of Council debts.
- (6) To impose a civil penalty.
- (7) To reject an individual's appeal against liability and to pass the appeal to the Valuation Tribunal.
- (8) To recover an overpayment of Housing or Council Tax Benefit.
- (9) To backdate an application for Housing or Council Tax Benefit.
- (10) To grant discretionary enhancements to Housing or Council Tax Benefit and discretionary housing payments.
- (11) To investigate and authorise prosecution in cases of an apparent fraudulent claim for Housing and/or Council Tax Benefit.
- (12) To take all necessary administrative action involving the Council on superannuation matters.
- (13) To make all payments within the Council's Financial Regulations and/or legally payable.
- (14) To implement decisions of the appropriate National Negotiating Bodies regarding rates of pay for workmen and staff.
- (15) To grant loans for car purchase to persons coming within the Council's approved schemes.
- (16) To vary the Council's Contract Car Hire Scheme in line with variations to the NJC Scheme.
- (17) To incur expenditure outside the provision of estimates in accordance with Financial Regulations.
- (18) To arrange all insurance policies (other than in respect of mortgaged properties).

- (19) To insert advertising materials with Council Tax demands at his discretion.
- (20) To grant rate relief under the provisions of the Local Government Finance Act 1988, as amended by the Local Government and Rating Act 1997, to qualifying village shops and/or post offices and public houses and petrol filling stations.
- (21) In consultation with the Economic Portfolio Holder to approve discretionary rate relief to qualifying rural businesses in accordance with the provision of the Local Government Finance Act 1988 as amended by the Local Government and Rating Act 1997.
- (22) To grant rate relief in accordance with the policy with a right of appeal to the Executive.
- (23) That the following postholder be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000
RV2 Revenues Manager
- (24) That the following postholder be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000
RV2 Revenues Manager
- (25) That the following officers be authorised under S223 Local Government Act 1972 to appear on behalf of the Authority before a Magistrate's Court in connection with Rating and Council Tax matters:
PColebeck
CLewis
HWhite
CMoore
- (26) Be authorised in consultation with the Economic Portfolio Holder to apply for other Community Transport Schemes to be encompassed within the Concessionary Travel Scheme including Dial-a-Ride Service.
- (27) That the holders of the following posts be authorised to give notice inviting agreement to pay a penalty as an alternative to prosecution pursuant to Sections 115A and 115B of the Social Security Administration Act 1992.

Delegation to Head of Technical Services

[Return to contents page](#)

- (1) Approval of plans under Building Regulations.
- (2) Rejection of plans under Building Regulations.
- (3) Serving of notices in respect of demolitions and Dangerous Structures.
- (4) Implementation of transportation capital programmes.
- (5) General day to day operation of the Transportation Services.
- (6) Determination of Penalty Charge Notices.
- (7) Renumbering of Houses and then naming and renaming of streets in accordance with the Council's policy.
- (8) Issue of licences for temporary buildings in consultation with the Head of Environment and Health.
- (9) Determine applications for relaxation of Building Regulations and subject to his being satisfied issue approval and report there on to the next meeting of the Committee.
- (10) The appointment of Planning Supervisors.
- (11) Energy Purchase.
- (12) To serve Notices under Section 25 of the Land Drainage Act 1991.
- (13) To authorise proceedings under S.35 of the Building Act 1984. (Environment and Health Committee-28th January 1988-Minute 638).
- (14) To install refuse or storage bins in streets under S.185 of the Highways Act 1980.
- (15) In consultation with the Police to close highways and divert traffic in emergencies or for a period not exceeding one day where necessary.
- (16) To permit the display of banners across the highways on Council buildings.
- (17) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (18) To select contractors for invitation to tender for approved schemes including those for principal authorities for which the Council acts as an agent in accordance with the Council's or the principal authority's procedures or Standing Orders as appropriate.
- (19) To permit the use of car parks during charging hours for events of a charitable nature subject to consultation with the appropriate Portfolio Holder.
- (20) To permit the use of the car parks outside the charging hours for events of a charitable nature.
- (21) To allow space within a car park to be used for the convenience of the public at large on

- such terms and conditions as he considers appropriate including the making of an appropriate charge and requiring suitable indemnity.
- (22) To negotiate agreements for advertising on car park tickets on terms and conditions as he considers appropriate.
 - (23) To let the Crosfield Hall, Romsey and Guildhall, Andover in accordance with the Council's policy.
 - (24) To request information as to the identity of a driver of a vehicle where there is an alleged offence committed in relation to a Car Park Order or Traffic Regulation Order pursuant to Section 112 of the Road Traffic Regulation Act 1984.
 - (25) In conjunction with the Head of Personnel to employ Premises Management staff on appropriate contracts up to a maximum of 2600 hours per annum in the north and 3000 hours per annum in the south.
 - (26) To approve monuments and statues on highway land, after appropriate consultations and subject to the approval of the Highway Authority.
 - (27) That in accordance with Section 30 of the Party Wall Act 1996, the Head of Technical Services be designated the "Appointing Officer".
 - (28) That the Head of Technical Services, in consultation with the Head of Finance be authorised to set the levels of charges for building regulation applications.
 - (29) To authorise persons to act as Parking Attendants under Section 63A of the Road Traffic Regulations Act 1984 to undertake the functions of a Parking Attendant under the provisions of that Act and also the Road Traffic Act 1991 and any other enactment.
 - (30) To instruct bailiffs in connection with the recovery of unpaid parking debts
 - (31) To determine if a penalty charged debt is uncollectible and to write off such debts
 - (32) To discharge the functions given under the Traffic Management Agency Agreement including the making and confirmation as appropriate of temporary and permanent Traffic Regulation Orders.
 - (33) In consultation with the Planning and Transport Portfolio Holder to consider objections to Traffic Regulation Orders and decide whether the Order be made/confirmed.
 - (34) In consultation with the Head of Finance to set the levels of charges for Traffic Regulation Orders with the objective of recovering the costs of making the Order.
 - (35) To operate the HCC/TVBC Agency Agreement for the enforcement of parking control.
 - (36) In consultation with the Head of Leisure, to set a appropriate maximum duration of stay for non-permit holders using the Sports Centre Car Park
 - (37) That the holders of the following posts who are qualified in accordance with the legislation are authorised to enter land or premises and to carry out any act included in the Building Act 1984 and the Land Drainage Act 1981 and subordinate legislation made there under and any amendments thereto.

PostNo.	Designation
TS1	Head of Technical Services
TS22	Building Control Surveyor
TS24	Building Control Surveyor
TS25	Building Control Manager
TS26	Building Control Surveyor
TS84	Building Control Surveyor
TS85	Building Control Surveyor
TS103	Engineering Assistant
TS154	Building Control Surveyor

- (38) That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto set out in the:

Local Government (Miscellaneous Provisions) Acts 1976 & 1982
Town Police Clauses Acts 1847 & 1889
Public Health Acts 1875 & 1936
Hypnotism Act 1952
Cinematograph Acts 1909 & 1952
Cinemas 1985
Sunday Entertainments Act 1932
Theatres Act 1968
Fire Safety and Safety of Places of Sport Act 1987
Licensing Act 2003 (from commencement in February 2005)

PostNo	Designation
TS1	Head of Technical Services
TS25	Building Control Manager
TS22	Area Building Control Surveyor
TS24	Area Building Control Surveyor
TS26	Area Building Control Surveyor
TS84	Area Building Control Surveyor
TS85	Area Building Control Surveyor
TS154	Area Building Control Surveyor
TS21	Technical Assistant
TS75	Area Building Control Surveyor

- (39) In consultation with the Head of Legal to enter into Agreements under Section 278 of the Highways Act 1980 with the Highway Authority to allow Test Valley Borough Council Capital Programmes schemes on the Highway to be constructed .