

Notice of Meeting

Cabinet

Date: Monday 20 May 2019

Time: 5.30 pm

Venue: Upper Guildhall, High Street, Andover, Hampshire, SP10 1NT

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Legal and Democratic Service

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This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of this meeting may be held in private because the agenda and reports for the meeting may contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Cabinet

MEMBER

WARD

Cabinet

Monday 20 May 2019

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

- 1 Apologies**
- 2 Public Participation**
- 3 Declarations of Interest**
- 4 Urgent Items**
- 5 Minutes of the meeting held on 17 April 2019**
- 6 Recommendations of the Overview and Scrutiny Committee 6 - 7**

Recommendations of the Overview and Scrutiny Committee held on 24 April 2019.
- 7 Revenue Outturn 2018/19 8 - 17**

Finance
To present the Council's 2018/19 revenue outturn position, to explain reasons for variances between the original estimate and the outturn, and to recommend how the surplus in the year should be treated.
- 8 Capital Outturn 2018/19 18 - 35**

Finance
To report the actual expenditure on capital projects in 2018/19, to review the funding of the capital programme, and to present a revised programme for 2018/19 to 2020/21.

- | | | |
|-----------|---|-----------------|
| 9 | <u>Asset Management Outturn 2018/19</u> | 36 - 51 |
| | Finance
To report the actual expenditure against budget for the Asset Management Plan in 2018/19 and to update the AMP requirement for 2019/20. | |
| 10 | <u>Treasury Management Review</u> | 52 - 58 |
| | Finance
To review the performance of the Treasury Management function in 2018/19. | |
| 11 | <u>Valley Housing Matters</u> | 59 - 60 |
| | Finance
To consider the appointment of a shareholder representative on the Board of Valley Housing Ltd. | |
| 12 | <u>Project Enterprise Outturn 2018/19</u> | 61 - 65 |
| | Finance
To provide a review of the financial performance of Project Enterprise activities in the 2018/19 financial year. | |
| 13 | <u>Eastleigh Borough Council/Test Valley Borough Council Liaison Group</u> | 66 |
| | Corporate
To appoint the membership of the Eastleigh Borough Council/Test Valley Borough Council Liaison Group. | |
| 14 | <u>Partnership for Urban South Hampshire (PUSH)</u> | 67 - 68 |
| | Corporate
To appoint the Planning Portfolio Holder to the Partnership for Urban South Hampshire Committee. | |
| 15 | <u>Scheme of Delegations to Officers</u> | 69 - 113 |
| | Corporate
To approve the Council's Scheme of Delegations to Officers. | |

16 Scrap Metal Dealers Hearing Sub-Committee 114 - 115

Corporate

To appoint the membership of the Scrap Metal Dealers Hearing Sub-Committee.

17 Exclusion of the public 116

The following report is confidential.

18 Project Enterprise Outturn 2018/19 - Annex 117 - 121

Confidential information in relation to item 12.

ITEM 6 Recommendations of Overview & Scrutiny Committee

6.1 Overview & Scrutiny Committee – 24 April 2019

6.1.1 Review of Town Centres

Councillor Hurst, the Lead Member for the Review of Town Centres presented his Panel's report on the future of the Town Centres. The review focused on the role that the Corporate Plan, Local Plan and Economic Development Strategy had in supporting Town Centres. The report recommended areas for further investigation particularly around the planning process and the promotion of town centres.

Town centres were facing significant challenges. The Council had a leading role in supporting them to adapt to the changing customer behaviour and economic challenges. The review explored how the Council could support town centres through developing collaborative partnerships, investing in the public realm, and exploring ways to secure external funding.

The Committee considered that it was a thorough and balanced report and that there is a need to investigate changing shopping habits and how to get local people to support their town centres.

Parliament's Housing, Communities and Local Government Committee had produced a report 'High streets and town centres in 2030' which had highlighted similar issues. It was hoped that Government would respond positively to that report.

Councillor Hurst thanked officers who had supported him with this review.

Recommended:

That the Council continued to support Andover and Romsey town centre through the measures identified in the Corporate Plan 2019 – 2023 (2019), the Revised Local Plan (2016) and the Economic Development Strategy (2017); and

- 1. That the Head of Planning & Building and the Head of Planning Policy investigate the application of Policy LE12 and Policy LE13 of the adopted Revised Local Plan (2016);**
- 2. That the Head of Planning & Building and the Head of Planning Policy investigate what measures could be introduced to help facilitate planning advice to those businesses whose premises are within the Borough's town centres;**
- 3. That the Council continued to explore opportunities to secure funds to deliver public realm improvements;**
- 4. That the merits of a potential Romsey Business Improvement District be explored in the future, once the experience of Andover's BID, as well as other BIDs, have been fully considered;**

5. **That the Council continued to investigate new ways to support existing town centre businesses;**
6. **That the merits of producing a town centre prospectus for each town be explored; and**
7. **To put in place measures to allow shoppers and visitors to provide ongoing feedback of their experience.**

6.1.2 Disability Review

Councillor Hamilton the Lead Member for the Disability Review, presented the findings of this review. The programme of work sought to explore how the Council can further develop appropriate mechanisms in which to review equality issues, including those related to disability as part of an evidence-led approach to decision making.

The purpose of the review has been to initially focus on how the Council can most effectively engage with people with disabilities on a variety of issues, and to draw the lessons from this that can then be applied to working with groups from across the protected characteristics. In particular the review has explored what works best in terms of engagement practice, and to develop a deeper understanding of the range of issues that are of interest to people with disabilities. Engagement with both public and voluntary and community sector partners has also formed part of the review in order to take a more holistic view of wider issues.

The work undertaken through this review has helped to further shape the councils understanding and future approach it can take to meet its corporate priorities in keeping with the equality objectives that it has set itself. As a result, the Council's understanding of the experience of service users will therefore be strengthened and embedded ensuring the perspective of those who have a protected characteristic is heard.

The recommendations within the report will enable the Council to further embed and strengthen its approach aligned to the Equality Objectives.

Recommended:

That Cabinet adopt the approach contained within the report as a way of working when reviewing equality issues with a range of groups.

ITEM 7

Revenue Outturn 2018/19

Report of the Finance Portfolio Holder

Recommended:

1. That the Council's Revenue outturn for 2018/19, as shown in Annexes 1 and 2, be noted.
2. That the reasons for the budget variances, as shown in paragraph 3, be noted.
3. That the items shown in paragraph 3.19, totalling £229,400, be approved for carry forward into the 2019/20 revenue budget.
4. That the transfer to the Homelessness Grant Reserve of £280,200, the transfer to the Private Rented Sector Access Reserve of £115,000 and the transfer to the Environmental Service Clean Up Reserve of £21,700 as detailed in paragraph 3.10 be approved.
5. That the transfers to reserves as detailed in paragraph 4 be approved.

SUMMARY:

- The Council's Revenue outturn for the year ended 31 March 2019 shows net General Fund expenditure of £11.251M (Annex 2).
- Following the completion of the revenue outturn work there is a positive variance to be allocated. Details of how this arose are discussed in more detail in paragraph 3. The utilisation of the variance is considered in paragraph 4.

1 Introduction

- 1.1 The General Fund covers all areas of the Council's revenue activities. This report summarises the total revenue expenditure for Services in 2018/19 which is summarised in Annex 1.
- 1.2 The summary in Annex 1 includes notional charges applied to the revenue account in respect of capital financing transactions and transfers to the pension reserve. Annex 2 shows the same information as Annex 1 with these charges stripped out. Throughout this report any comparisons between budget and actual expenditure will refer to the figures contained in Annex 2.
- 1.3 Where there have been significant variances from the original estimate to the final outturn figures, these are explained in paragraph 3.
- 1.4 The information in this report forms the basis of the Comprehensive Income and Expenditure Statement in the Council's Annual Statement of Accounts which is due to be audited in the coming months by Ernst & Young.

2 Background

- 2.1 The original revenue estimates for 2018/19 were approved by Council in February 2018. This report shows how the final figures compare to those approved in the original estimates and explains the reasons for significant variances.
- 2.2 The Council's Revenue outturn for 2018/19 shows a positive variance of £1.580M compared with the original estimate. This represents a 12.2% favourable variance on the Council's General Fund Requirements of £12.908M and details of the variance are explained in paragraph 3.
- 2.3 Annex 1 shows the full cost of Services which includes depreciation charges, charges to revenue for capital expenditure that does not generate new assets and notional adjustments in respect of the pension fund. Whilst it is important that these costs are known and included, they are also highly changeable and make comparisons with budgets very difficult.
- 2.4 Annex 2 strips out these charges to provide Councillors with a more understandable comparison of budget figures.

3 2018/19 Revenue Outturn

- 3.1 Annexes 1 and 2 show the revenue account outturn for 2018/19. They show a positive variance of £1.580M when compared with the original estimate.
- 3.2 The table below provides a summary of the main reasons for the variance with more detailed explanations in paragraphs 3.3 to 3.18:

	£'000
Employee costs (see paragraph 3.3)	574
Net additional property income (see paragraph 3.4)	422
Net additional income from Environmental Services (see paragraph 3.5)	105
Income from planning fees and building control fees (see paragraph 3.6)	(138)
Income from car parking and penalty charge notices (see paragraph 3.7)	(144)
Property costs - building maintenance (see paragraph 3.8)	(94)
Benefits overpayment recovery (see paragraph 3.9)	(45)
Government grants (see paragraph 3.10)	504

Investment income and borrowing costs (see paragraph 3.11)	441
Provision for bad debts (see paragraph 3.12)	179
Draw from income equalisation reserve not required (see paragraph 3.4)	(91)
Adjustment to income re the Chantry Centre (see paragraph 3.13)	889
Reduction in revenue contribution to capital re the Chantry Centre (see paragraph 3.13)	460
Transfer to Chantry Centre Planned Maintenance Reserve (see paragraph 3.13)	(1,349)
Transfer to Asset Management Plan Reserve agreed at Cabinet February 2019 (see paragraph 3.14)	(500)
Government grants adjustment (see paragraph 3.10)	(417)
Business rates (see paragraphs 3.15 – 3.18)	803
Other sundry variances	(19)
Total surplus	1,580

- 3.3 The employee costs budget for 2018/19 included a vacancy management provision set at 4% of the gross salary budget equating to £547,500. The actual outturn for employee costs has exceeded the provision by £574,000. In addition to the usual recruitment challenges across the authority, there have been some posts that have become vacant during the year and have been given up as savings as part of the 2019/20 budget process.
- 3.4 The net additional rental property income of £422,000 can be analysed as follows:
- The Council purchased a number of investment properties in 2018/19 which have been let to Valley Housing Limited. The net additional income from these properties after a contribution to the capital reserve was £12,000 which was not included in the budget.
 - Other additional rental income of £289,000 was received. This came from other corporate properties, Walworth and Portway Business Parks and other investment properties and mainly related to in year rent increases.
 - £91,000 was in relation to a rent deferral that was not required. This was to have been offset by a draw from the Income Equalisation Reserve which is no longer required.

- Approximately £30,000 of one off income was received relating to lease extensions and back dated rent.
- 3.5 The net increase in income from Environmental Service is made up of £88,000 from the Garden Waste scheme and £45,000 from the sale of dry mixed recycling offset by a reduction of £28,000 from glass recycling.
- 3.6 Income from planning application fees and building control fell short of the budget by £138,000.
- 3.7 Income from car parking and penalty charge notices fell short of the budget by £144,000.
- 3.8 This year has seen an unprecedented amount of reactive maintenance works. The total cost for reactive and planned maintenance has exceeded budget by £94,000. This can be attributed to the number of properties that the Council now owns.
- 3.9 Identification and recovery of Benefits overpayments was £45,000 lower than estimated. This is due to the fall in caseload and workload as working age customers move from Housing Benefit to Universal Credit.
- 3.10 Unbudgeted government grants of £504,000 have been received in the year. This includes:
- Housing grants of £395,200, including the Flexible Homelessness Grant (£228,700), the Homelessness Prevent Grant of £18,000, New Burdens grants of £33,500 and the Private Rented Sector Access Grant of £115,000. It is recommended that the full amount of £395,200 be transferred to earmarked reserves to be utilised in future years.
 - Environmental Service received a Clean-up grant in the last week of March of £21,700. It is recommended to transfer this to earmarked reserves to be utilised in future years.
 - The Revenues Service received various grants from the Department of Work and Pensions during the year. These have contributed approximately £51,000 to the surplus.
 - A Levy Surplus Allocation of £36,000 was budgeted for 2019/20 as notified from MHCLG as part of the 2019/20 Local Government Finance Settlement. This was actually received at the end of March and is to be included in the 2018/19 revenue figures.
- 3.11 Net investment income received in the year was £169,000 higher than anticipated. A further £272,000 saving in relation to the cost of borrowing has occurred because a loan was taken out much later in the year than originally budgeted.
- 3.12 A reduction of £179,000 is required to ensure that the bad debt provision is at the required level at the end of the year.

- 3.13 As per the report to Council on 13 March 2019, an adjustment has been made to transfer £1.349M to a new Planned Maintenance Reserve for the Chantry Centre.
- 3.14 The Revenue Budget report to Cabinet on 13 February 2019 anticipated a positive variance at outturn and a transfer of £500,000 in 2018/19 to the Asset Management Plan reserve was approved.
- 3.15 Transactions through the General Fund in relation to business rates income are difficult to predict and extremely volatile. Since 2015/16, the Council has experienced business rate growth and is therefore required to pay an immediate NDR Surplus Levy to Government. In addition, the Council receives grants for small business rate and other reliefs, and is entitled to retain 100% of business rates relating to renewable energy schemes within the Borough. These transactions are managed through both the General Fund and the Collection Fund Equalisation Reserve.
- 3.16 Business rates income is extremely vulnerable to the level of appeals that may occur as a result of the 2017 revaluation exercise. In addition, the Government maintains the power to take away all of the accumulated growth in income generated since 2013 in the reset of the Business Rates Retention Scheme in 2020. The Council maintains the Collection Fund Equalisation Reserve to try to smooth the impact of these unknowns.
- 3.17 In 2018/19, the Council has continued to experience business rate growth and is still required to pay a surplus levy to Government, but the impact of the uncertainty around the provision for appeals has resulted in an overall deficit on the business rates collection fund of £2.283M. The Council will repay their share of this deficit, £913,000, in 2020/21.
- 3.18 The variances against budget are detailed in the table below.

	£'000
Adjustment from 2017/18	(77)
Additional Government grants received	240
Reduction in provision for surplus levy	324
Additional renewable energy business rates retained	316
Net impact of business rates on General fund in 2018/19	803

- 3.19 Two items have been identified where a budget was included in the 2018/19 estimate but was not spent by the end of the year as per the table below. The total of £229,400 is recommended to be carried forward into 2019/20.

	£'000
New Forest Mitigation	172
Community & Leisure – snagging works at Picket Twenty and Picket Piece	57
Total to be carried forward to 2019/20	229

4 Transfer to / from Reserves

General Reserves

- 4.1 The recommended prudential minimum level for unallocated general reserves is £2M. This represents the Council's working balance to help cushion the impact of uneven cash flows and minimise unnecessary temporary borrowing.
- 4.2 The balance at the start of the year was £2M and this remains unchanged at 31 March 2019.

Earmarked Reserves

- 4.3 The amount available to allocate to earmarked reserves as a result of the surplus in 2018/19 is £1.580M.
- 4.4 There are a large number of ways in which the Council could utilise this sum. It is considered that the most appropriate use is to split it as detailed in the following table:

	£'000
Capacity Building Reserve	300
Special Projects Reserve	150
Asset Management Plan Reserve	670
Local Development Fund Reserve	400
Apprenticeship Reserve	60
Total to be transferred to reserves	1,580

- 4.5 The Capacity Building Reserve was established by Cabinet in October 2009 to explore and implement "spend to save" initiatives. Originally, this reserve had £250,000 allocated to it. Taking into account known commitments, the balance is estimated to be fully depleted by 31 March 2020. A transfer of £300,000 will reflate the balance to a forecast £277,000 at March 2020.

- 4.6 The Special Projects Reserve was established by Cabinet in June 2010 to provide funding for any new, one-off projects. Originally the reserve had £100,000 allocated to it. Taking into account known commitments, the balance is estimated to be £77,000 at March 2020. A transfer of £150,000 will reflate the balance to £227,000. This will be available to finance future corporate projects, such as the Andover Town Centre Re-development project and Romsey Future South of Town Centre project.
- 4.7 The Asset Management Plan reserve is estimated to have a balance of £541,000 by 31 March 2020. The recommended transfer to reserves will increase the balance to £1.211M, which, when added to the annual budgeted contribution to the reserve of £1.217M, will leave a total of £2.428M towards the costs of the 2020/21 programme of works.
- 4.8 The Local Development Fund Reserve is forecast be fully utilised by March 2020. The transfer of £400,000 will reflate the balance to a forecast £215,000 at March 2020.
- 4.9 The Apprenticeship Reserve enables services to fund an apprentice post which is in addition to their existing establishment. Currently three posts have been approved to be funded from this reserve and the transfer of £60,000 will enable these costs to be fully covered.

5 Resource Implications

- 5.1 This report shows that the Council had a budget surplus in 2018/19 of £1.580M. This amount will be transferred to reserves to be used in future years.
- 5.2 As discussed above the General Fund balance is to remain at £2M; a level which is prudent in the current economic climate.
- 5.3 Some of the variances that have been identified throughout this report have already been taken into account in setting the 2019/20 budget, others will be considered as part of the Corporate Challenge process for 2020/21 to determine whether there are any on-going savings, or additional income that could help reduce the Council's budget gap.
- 5.4 Members will recall that one of the recommendations from last year's Peer Challenge Review was to explore the common causes of underspends within the Council's budget. The Head of Finance will be reporting later in the year as part of the Medium Term Financial Strategy on actions to be taken to address this.

6 Risk Management

- 6.1 An evaluation of the risks associated with the matters in this report indicate that further risk assessment is not needed because the issues covered do not represent significant risks.

7 Equality Issues

- 7.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EQIA has not been carried out.

8 Conclusion and reasons for recommendation

- 8.1 This report shows that actual net General Fund expenditure in 2018/19 was £1.580M less than the Original Estimate and explains the significant causes of this variance. The report recommends transfers to the capacity building reserve to fund future initiatives, the special projects reserve to fund future one-off projects, the asset management reserve for future maintenance and replacement of Council assets, the local development fund reserve and the apprenticeship reserve.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance)			
Officer:	Jenni Carter	Ext:	8236
Report to:	Cabinet	Date:	20 May 2019

GENERAL FUND REVENUE SUMMARY - 2018/19

	(1) Original Estimate 2018/19 £'000	(2) Actual 2018/19 £'000	(3) (Under) / Over Spend £'000
Service Requirements			
Chief Executive's Office	651.7	749.2	97.5
Community & Leisure	3,084.4	2,701.1	(383.3)
Environmental Service	5,073.1	5,328.9	255.8
Estates & Economic Development	(5,052.0)	(6,974.5)	(1,922.5)
Finance	8.3	1.7	(6.6)
Housing & Environmental Health	2,979.7	1,054.6	(1,925.1)
I.T.	83.4	113.8	30.4
Legal & Democratic	356.4	539.2	182.8
Planning & Building	1,841.2	2,342.4	501.2
Revenues	1,309.2	1,654.9	345.7
	10,335.4	7,511.3	(2,824.1)
Other Requirements			
Benefits	(200.0)	(155.3)	44.7
Corporate & Democratic Core	4,317.8	3,198.9	(1,118.9)
Net Cost of Services	14,453.2	10,554.9	(3,898.3)
Corporate Requirements			
Contingency Provision	137.1	0.0	(137.1)
Depreciation & Capital Charges	(4,847.2)	(2,671.9)	2,175.3
Investment Income	(426.8)	(595.5)	(168.7)
Borrowing Costs	157.5	15.9	(141.6)
Minimum Revenue Provision	130.8	0.0	(130.8)
New Homes' Bonus	(3,836.7)	(3,836.7)	0.0
Small Business Rate Relief	(1,201.8)	(1,444.4)	(242.6)
Other Government grants	(273.3)	(286.5)	(13.2)
Provision for NDR surplus 'levy'	1,931.2	1,607.5	(323.7)
Levy surplus allocation	0.0	(35.9)	(35.9)
Retention of NDR re Renewable Energy Schemes	(454.0)	(770.4)	(316.4)
Write Offs / Year End Transfers	0.0	25.3	25.3
Net General Fund Expenditure	5,770.0	2,562.3	(3,207.7)
Transfer to / (from) Earmarked Reserves	2,853.3	3,326.2	472.9
Transfer to Asset Management Reserve	1,206.2	3,215.8	2,009.6
Contribution to Capital Balances	3,078.9	2,721.9	(357.0)
Transfer to Pension Reserve	0.0	(575.0)	(575.0)
GENERAL FUND REQUIREMENTS	12,908.4	11,251.2	(1,657.2)
Revenue Support Grant	(56.0)	(56.0)	0.0
Business Rates Retained	(5,236.6)	(5,159.4)	77.2
Parish Precepts	1,508.7	1,508.7	0.0
Surplus on Previous Years' Collection Fund	(112.7)	(112.7)	0.0
Surplus on Previous Years' Collection Fund - NDR	(407.6)	(407.6)	0.0
Council Tax Requirement	8,604.2	7,024.2	(1,580.0)

GENERAL FUND VARIANCE**1,580.0**

GENERAL FUND REVENUE SUMMARY - 2018/19
excluding asset charges and pension transfers

	(1)	(2)	(3)
	Original		(Under) /
	Estimate	Actual	Over
	2018/19	2018/19	Spend
	£'000	£'000	£'000
Service Requirements			
Chief Executive's Office	651.7	572.8	(78.9)
Community & Leisure	2,047.9	2,949.3	901.4
Environmental Service	4,336.3	4,285.6	(50.7)
Estates & Economic Development	(5,838.8)	(8,898.9)	(3,060.1)
Finance	8.3	(77.3)	(85.6)
Housing & Environmental Health	1,978.1	1,559.0	(419.1)
I.T.	(31.0)	(53.8)	(22.8)
Legal & Democratic	356.4	462.5	106.1
Planning & Building	1,841.2	2,111.6	270.4
Revenues	1,309.2	1,491.6	182.4
	6,659.3	4,402.4	(2,256.9)
Other Requirements			
Benefits	(200.0)	(155.3)	44.7
Corporate & Democratic Core	4,270.1	4,282.0	11.9
Net Cost of Services	10,729.4	8,529.1	(2,200.3)
Corporate Requirements			
Contingency Provision	137.1	0.0	(137.1)
Investment Income	(426.8)	(595.5)	(168.7)
Borrowing Costs	157.5	15.9	(141.6)
Minimum Revenue Provision	130.8	0.0	(130.8)
New Homes' Bonus	(3,836.7)	(3,836.7)	0.0
Small Business Rate Relief	(1,201.8)	(1,444.4)	(242.6)
Other Government grants	(273.3)	(286.5)	(13.2)
Provision for NDR surplus 'levy'	1,931.2	1,607.5	(323.7)
Levy surplus allocation	0.0	(35.9)	(35.9)
Retention of NDR re Renewable Energy Schemes	(454.0)	(770.4)	(316.4)
Write Offs / Year End Transfers	0.0	25.3	25.3
Net General Fund Expenditure	6,893.4	3,208.4	(3,685.0)
Transfer to / (from) Earmarked Reserves	2,853.3	3,326.2	472.9
Transfer to Asset Management Reserve	1,206.2	3,215.8	2,009.6
Contribution to Capital Balances	1,955.5	1,500.8	(454.7)
GENERAL FUND REQUIREMENTS	12,908.4	11,251.2	(1,657.2)
Revenue Support Grant	(56.0)	(56.0)	0.0
Business Rates Retained	(5,236.6)	(5,159.4)	77.2
Parish Precepts	1,508.7	1,508.7	0.0
Surplus on Previous Years' Collection Fund	(112.7)	(112.7)	0.0
Surplus on Previous Years' Collection Fund - NDR	(407.6)	(407.6)	0.0
Council Tax Requirement	8,604.2	7,024.2	(1,580.0)
GENERAL FUND VARIANCE		1,580.0	

ITEM 8

Capital Outturn 2018/19

Report of the Finance Portfolio Holder

Recommended:

That the updated Capital Programme as shown in Annex 1 to the report be approved.

SUMMARY:

- This report summarises expenditure on the Capital Programme in 2018/19 and explains the reasons for variances from the forecast, including a summary of the total budget slippage within the Capital Programme.
- The report makes recommendations for the carry forward of certain unspent capital budgets into 2019/20 as detailed throughout the report and provides an updated capital programme for 2018/19 to 2020/21.

1 Introduction

- 1.1 The progress of the Capital Programme is reported to Cabinet regularly throughout the year. The most recent update was presented to Cabinet on 13 February 2019.
- 1.2 The purpose of this report is to present the final 2018/19 expenditure for the Capital Programme and explain significant variances compared to the estimated expenditure for the year. The report also updates the expected budget for 2019/20 and 2020/21.
- 1.3 Any slippage from 2018/19 and other changes in the programme have been taken into account in updating the cost and phasing of schemes within the updated programme presented for approval.

2 Background

- 2.1 In updating the Capital Programme the main issues relate to changes in the cost or phasing of existing schemes and changes to the level of capital resources that will influence the way in which the programme is financed.
- 2.2 Additional capital requirements on existing projects are included in the report. Where additional resources are necessary, the report will address the reasons why additional resources are requested and the method of funding those resources.

3 Capital Outturn 2018/19

- 3.1 Annex 1 provides details of the revised estimate for individual schemes in 2018/19 and the actual amount that was spent in the year. It also shows an updated estimate of the remaining costs and timescale of all projects in the Capital Programme.

- 3.2 Overall, the Capital Programme has spent £28.0M against a forecast of £27.3M during the 2018/19 financial year.
- 3.3 The following table shows how the overall variance of £720K in 2018/19 is broken down between Services:-

Service	Estimate £'000	Actual £'000	Variance £'000
Asset Management Projects	2,542.7	1,783.7	(759.0)
Community & Leisure	14,480.4	12,698.7	(1,781.7)
Estates, E.D. and Transport	1,579.0	7,973.6	6,394.6
Project Enterprise	7,040.0	4,948.0	(2,092.0)
Housing & Environmental Health	780.0	557.4	(222.6)
I.T.	58.9	49.6	(9.3)
Affordable Housing	810.0	0.0	(810.0)
Total	27,291.0	28,011.0	720.0

- 3.4 The main reasons for the variance in the year are explained in the following paragraphs.

3.5 Asset Management Projects

The Asset Management Plan was last reported to Cabinet on 7 November 2018. This identified the Council's requirement for maintaining its asset base over three categories; land & property; vehicles & plant and IT equipment.

The budgets approved covered both revenue and capital items, with the capital element introduced to the Capital Programme. All costs are to be met from the Asset Management reserve.

Overall, capital expenditure in the year was £759,000 less than budgeted. Detailed explanations of variances within the Asset Management Plan for 2018/19 are included in the Asset Management Plan Outturn report elsewhere on this agenda.

3.6 Community & Leisure

The Community & Leisure capital programme has a variance of £1,781,700 against its forecast of £14,480,400.

The main reasons for this are:

The Community Asset Fund (CAF) is showing a variance for 2018/19 due to the timing of grant applications - applicants have a total of two years in which to claim approved grants. A total of £233,600 has been carried forward into 2019/20.

The Multi Use Games Area (MUGA) at Picket Twenty is completed, with exception of the soft and hard landscaping for which £18,100 has been carried forward.

Knightwood Skate Park scheme has been implemented with the final retention and snagging works of £10,500 slipped into 2019/20.

The addition of a plinth for the Andover War Memorial is not likely to be completed until later this year, due to the need to obtain Listed Building Consent, together with the application for Faculty permission from the Diocese of Winchester, resulting in further slippage of £1,700.

The work on the Romsey War Memorial Park play areas has been completed with some snagging work due to be completed in 2019/20 causing slippage of £3,100.

There is slippage of £1,718,900 for the Leisure Contract with works to demolish the old Andover Leisure Centre building and works outstanding for Romsey Rapids and Charlton Lakes. An additional £377,300 has been added to the programme due to unforeseen works to the Andover Leisure site, as previously reported.

Knightwood Leisure Centre footpath link has now been completed with a saving of £10,800.

Jubilee Park Play areas, Nursling – all funds have been committed for this work which is due to complete in 2019/20.

Slippage of £50,700 is shown for Fishlake Meadows as costs from Hampshire Wildlife Trust have yet to be submitted.

Work started earlier than forecast for Public Art at Adanac Park, resulting in the original slippage reported reducing by £30,300.

Boundary Fencing and Hedging at Foxcotte Park – this project was originally budgeted in 2019/20 but was then forecast to be completed in 2018/19. The fencing element is complete but all hedging is yet to be planted causing slippage of £53,600.

3.7 Estates

Hampshire Community Bank – The bank continues to progress with the application for a banking licence however can only proceed at the pace determined by the regulator (the Bank of England via the Prudential Regulation Authority and the Financial Conduct Authority). Delays have arisen

through a combination of HCB being an entirely new concept requiring closer scrutiny and the implications of Brexit which has generated a significant extra regulatory workload for the regulators.

All works for Town Mill Access and Environmental Enhancement have now slipped due to the ongoing consultation for this area.

Further investigations into options, are still to be completed with regard to the generator purchase to ensure Business continuity.

The project for the Footpath Link from Smannell to Augusta Park has been put on hold due to negotiations between the Council and Hampshire County Council causing slippage of £164,000.

A small saving of £2,100 was made following the purchase of the land at Foxcotte.

3.8 Project Enterprise

Work on Evolution 50, Walworth Business Park has been completed and the unit has subsequently been sold (21.12.18). Following the final reconciliation a balancing figure of £97,300 has been included in the capital programme.

Works done on Walworth Business Park Investment 2 have slipped by £1,906.9M - this has not changed the overall budget. This project is expected to be completed during the summer of 2019.

Investment Property 12 is now complete with a saving of £12,900.

Investment Property 13 is now complete with a saving of £6,900.

The purchase of investment property 14 was completed in April 2019.

Further information relating to the investments made by Project Enterprise is shown in the PE Outturn report elsewhere on this agenda.

3.9 Housing & Environmental Health

The annual budgets for Renovation & Minor Works Grants and Disabled Facilities Grants are a limit on the amount that the Service can commit to individual grants plus any outstanding grant commitments from previous years.

As the Disabled Facilities Grants are a statutory requirement and require a referral from an Occupational Therapist, it is difficult to predict the amount of referrals in one year. It has been advantageous to have an 'in house' OT to speed up the process and deliver more grants but some works require planning permission or other major works to be completed before the adaptations can be completed. For 2018/19 there is a total spend of £546,600 against a budget of £750,000. In relation to the Renovation and Minor Works grants, £10,800 has been spent against a budget of £30,000 as it is difficult to predict demand for these types of works.

3.10 IT

The slippage of £9,300 is due to awaiting the completion of an audit. Following the audit the project team are now considering options to move forward.

3.11 Affordable Housing

Nightingale Lodge – the old building has been demolished but upon detailed site investigations, unforeseen works were identified and further grant funding from Hampshire County Council was required. The additional funding has now been confirmed and the contract documents will be signed shortly. Anticipated completion of this scheme is for the end of 2020.

3.12 Slippage

Slippage from one year to the next is regularly monitored as part of the Capital Programme update reports.

Annex 2 shows details of the capital projects that have slipped from 2018/19 to 2019/20. The November and February updates identified slippage of £1,536,400. This report identifies a further £5,517,400 making the annual total £7,053,800. This excludes Asset Management items which are reviewed separately elsewhere on this agenda.

Some slippage within a Capital Programme is entirely normal. Expenditure can be delayed for many reasons and is frequently outside the Council's control.

Projects included in the Capital Programme will improve the delivery of services directly to the public or improve the service that the Council provides. Slippage in the Capital Programme delays the implementation of these projects and therefore also delays any benefit seen by the public.

4 **Capital Programme Update**

4.1 A comparison of the latest phasing of the capital programme compared with the budget approved in February is shown in the following table:-

	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000
February Programme	30,291.0	10,011.4	4,850.0	45,152.4
Current Programme	28,011.0	17,183.4	5,785.0	50,979.4
Increase / (Decrease)	(2,280.0)	7,172.0	935.0	5,827.0

4.2 The increase of £5,827M is broken down in the table below.

	February Programme £'000	Current Programme £'000	Increase / (Decrease) £'000
Asset Management Projects	4,500.9	4,334.3	(166.6)
Community & Leisure	18,606.3	18,949.3	343.0
Estates, E.D. and Transport.	1,936.3	10,792.1	8,855.8
Project Enterprise	16,100.0	13,117.4	(2,982.6)
Housing & Env. Health	1,730.0	1,507.4	(222.6)
Total	42,873.5	48,700.5	5,827.0

4.3 The overall AMP budget requirement has decreased by £166,600 and is discussed in a separate report on this agenda.

4.4 The total budget for Community and Leisure has increased by £343,000 as explained below:

The creation of a Community Asset Fund (CAF) was approved as part of the budget strategy on October 2013. The overall budget for the CAF is £300,000 per annum which is split between revenue and capital contributions. As the capital contributions have increased, additional budget of £100,000 had been added for 2018/19. The revenue grants will reduce to ensure that the total contributions remain within the £300,000 limit per annum. All CAF contributions are funded by New Homes Bonus. The total outstanding relating to projects approved in previous years, will be adjusted annually due to project applications expiring or being withdrawn. The adjustment for 2018/19 being £23,500, which relates to expired applications.

Additional costs of £377,300 have been added to the Leisure Centre Contract due to unforeseen works for asbestos removal and pipe works.

A saving of £10,800 was made on the Knightwood Leisure Centre footpath link.

4.5 Three new properties have been added to the programme for Estates, Economic Development and Transport service. The purchase of the Chantry Centre was agreed by Council on the 13 February 2019 (minute 262.1 refers). The second and third were agreed by Council on the 13 March 2019 (minute 292 & 293 refers). A contingency for Capital repairs on the Chantry Centre was introduced back into the programme following the purchase of the Centre.

- 4.6 An adjustment of £3.0M relating to the top up budget for unidentified projects for Project Enterprise, was made to the programme for 2018/19 – the budget remains for 2019/20 onwards.

A balancing cost of £37,300 has been added to the expenditure for Evolution 50 following the sale of the property.

Savings of £12,900 and £6,900 were made on two of the purchased properties in 2018/19.

- 4.7 Disabled Facilities Grants (DFG) and Minor Renovation Grants have been underspent in this financial year. Explanations for this have been given in the paragraphs for the Outturn report.

5 Resource Implications

- 5.1 The level of capital spending is entirely dependent on the resources that are available to finance the programme. The ability to add new schemes to the programme is influenced by forecasts of future resources. However, once a scheme is in the programme it is assumed that it will be completed and financed irrespective of whether or not resource forecasts are entirely accurate.
- 5.2 This means that any shortfalls in resources are either made good initially through use of balances or by taking into account future capital receipts that would otherwise have been used for new capital expenditure. As a result, the financing of the programme will always be equal to the estimated costs.

The level of capital resources per the February programme is compared to those for the current programme in the following table:-

	February 2019	Outturn 2018/19
Capital Programme	£'000	£'000
Balance Capital Receipts Reserve (CRR) as at 1 April 2019	10,973.9	10,973.9
Total Capital Expenditure 2018/19 – 2020/21	(45,152.4)	(50,979.4)
Total Capital Financing 2018/19 – 2020/21	29,051.9	35,348.1
Forecast deficit of CRR at 31 March 2021	(5,126.6)	(4,657.4)
Loans from PWLB 2018/19 & 2019/20	5,900.0	7,897.2
Forecast Capital Receipts Reserve as at 31 March 2021	773.4	3,239.8

6 Conclusion and reasons for recommendation

- 6.1 The positive variance between budgeted and actual expenditure was £720,000 in 2018/19. Reasons for this variance are explained in paragraph 3 of the report.
- 6.2 The ongoing budget requirements for all outstanding projects have been reviewed in the preparation of this report and the updated Capital Programme as shown in Annex 1 is recommended for approval.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance)			
Officer:	Laura Berntsen	Ext:	8204
Report to:	Cabinet	Date:	20 May 2019

CAPITAL PROGRAMME AND FINANCING**Approved Projects**

	February 2019				Outturn 2018/19			
	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000
CAPITAL EXPENDITURE								
Asset Management Projects	2,542.7	1,958.2	0.0	4,500.9	1,783.7	2,550.6	0.0	4,334.3
Community & Leisure	14,480.4	2,325.9	1,300.0	18,106.3	12,698.7	4,450.6	1,300.0	18,449.3
Estates,Economic Development & Transport	1,579.0	357.3	0.0	1,936.3	7,973.6	2,693.5	125.0	10,792.1
Project Enterprise	7,040.0	60.0	0.0	7,100.0	4,948.0	2,169.4	0.0	7,117.4
Housing & Environmental Health	780.0	950.0	0.0	1,730.0	557.4	950.0	0.0	1,507.4
IT	58.9	0.0	0.0	58.9	49.6	9.3	0.0	58.9
Affordable Housing	810.0	1,110.0	300.0	2,220.0	0.0	1,110.0	1,110.0	2,220.0
Total	27,291.0	6,761.4	1,600.0	35,652.4	28,011.0	13,933.4	2,535.0	44,479.4
CAPITAL FINANCING								
Capital Grants	750.0	850.0	0.0	1,600.0	566.3	850.0	0.0	1,416.3
Capital Receipts	5,183.3	50.0	50.0	5,283.3	5,188.1	5,950.0	50.0	11,188.1
PWLB Loan	5,900.0	0.0	0.0	5,900.0	5,900.0	1,997.2	0.0	7,897.2
Capital Contributions	12,682.7	5,921.5	3,064.4	21,668.6	12,000.2	7,179.6	3,063.9	22,243.7
Total	24,516.0	6,821.5	3,114.4	34,451.9	23,654.6	15,976.8	3,113.9	42,745.3
Contribution (to) / from balances	2,775.0	(60.1)	(1,514.4)	1,200.5	4,356.4	(2,043.4)	(578.9)	1,734.1
Total Financing	27,291.0	6,761.4	1,600.0	35,652.4	28,011.0	13,933.4	2,535.0	44,479.4

CAPITAL PROGRAMME AND FINANCING**Schemes yet to be identified**

	February 2019				Outturn 2018/19			
	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000
CAPITAL EXPENDITURE								
Community & Leisure		250.0	250.0	500.0		250.0	250.0	500.0
Project Enterprise	3,000.0	3,000.0	3,000.0	9,000.0		3,000.0	3,000.0	6,000.0
Total	3,000.0	3,250.0	3,250.0	9,500.0	0.0	3,250.0	3,250.0	6,500.0
CAPITAL FINANCING								
Capital Contributions		250.0	250.0	500.0		250.0	250.0	500.0
Total	0.0	250.0	250.0	500.0	0.0	250.0	250.0	500.0
Contribution (to) / from balances	3,000.0	3,000.0	3,000.0	9,000.0		3,000.0	3,000.0	6,000.0
Total Financing	3,000.0	3,250.0	3,250.0	9,500.0	0.0	3,250.0	3,250.0	6,500.0

ASSET MANAGEMENT PROJECTS
CAPITAL PROGRAMME

ANNEX 1

Ref	Scheme	February 2019				Outturn 2018/19			
		2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000
1	Land and Property Projects	1,275.1	1,112.2		2,387.3	901.0	1,221.8		2,122.8
2	Vehicle and Plant Projects	1,078.2	711.0		1,789.2	718.3	1,132.7		1,851.0
3	IT Equipment Projects	189.4	135.0		324.4	164.4	196.1		360.5
Total AMP Capital Programme		2,542.7	1,958.2	0.0	4,500.9	1,783.7	2,550.6	0.0	4,334.3

COMMUNITY & LEISURE
CAPITAL PROGRAMME

ANNEX 1

Ref	Scheme	February 2019				Outturn 2018/19			
		2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Community Asset Fund - New projects 2018/19	250.0			250.0	89.8	160.2		250.0
1A	Community Asset Fund - O/s projects	193.4			193.4	96.5	73.4		169.9
2	MUGA/Play Areas Picket Twenty	259.0			259.0	240.9	18.1		259.0
3	RSC Skate Park	1.0	173.0		174.0	1.5	172.5		174.0
4	Knightwood Skate Park	153.5			153.5	143.0	10.5		153.5
5	Andover War Memorial	4.5	17.6		22.1	2.8	19.3		22.1
6	East Anton Public Art	32.0	26.5		58.5	32.0	26.5		58.5
7	Charlton Lakes Footpath	2.0			2.0		2.0		2.0
8	Town Mill River Improvements		70.0		70.0		70.0		70.0
9	Upgrade War Memorial Park Play area	9.3			9.3	6.2	3.1		9.3
10	Leisure Contract	13,242.1	742.0		13,984.1	11,900.5	2,460.9		14,361.4
11	Fitness Equipment - Valley Park		20.0		20.0		20.0		20.0
12	Footpath link - Knightwood Leisure centre	58.2			58.2	47.4			47.4
13	Play Areas - Jubilee Park, Nursling	70.0			70.0	0.2	69.8		70.0
14	Fishlake Meadows	147.4	119.8		267.2	96.7	170.5		267.2
15	Public Art - Adanac Park		60.0		60.0	30.3	29.7		60.0
16	Ganger Farm - Sports & Recreation		640.0		640.0	4.5	635.5		640.0
17	Fitness Trail - Romsey		45.0		45.0		45.0		45.0
18	Boundary fencing & hedging - land purchase	58.0			58.0	4.4	53.6		58.0
19	Picket Twenty - Pavilion/pitch changes		100.0	1,300.0	1,400.0		100.0	1,300.0	1,400.0
20	Picket Twenty - Phase 4 play area		130.0		130.0		130.0		130.0
21	SANG - Sherfield English		182.0		182.0	2.0	180.0		182.0
Total Approved Projects		14,480.4	2,325.9	1,300.0	18,106.3	12,698.7	4,450.6	1,300.0	18,449.3
Community Asset Fund Projects - yet to be identified			250.0	250.0	500.0		250.0	250.0	500.0
Total C&L Capital Programme		14,480.4	2,575.9	1,550.0	18,606.3	12,698.7	4,700.6	1,550.0	18,949.3

Test Valley Borough Council - Cabinet - 20 May 2019

ESTATES, ECONOMIC DEVELOPMENT & TRANSPORT SERVICE
CAPITAL PROGRAMME

Ref	Scheme	February 2019				Outturn 2018/19			
		2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Hampshire Community Bank	250.0			250.0		125.0	125.0	250.0
2	Town Mill Access & Environmental Enhancement	10.0	122.3		132.3		132.3		132.3
3	Romsey Flood Alleviation Scheme		235.0		235.0		235.0		235.0
4	Generator - Business Continuity	40.0			40.0		40.0		40.0
5	Footpath link - Smannell to Augusta	164.0			164.0		164.0		164.0
6	Land Sherfield English	357.0			357.0	357.0			357.0
7	Land Foxcotte	758.0			758.0	755.9			755.9
8	Strategic purchase						447.2		447.2
9	Purchase of Chantry Centre					7,320.5			7,320.5
10	Contingency for Capital repairs reversed					(459.8)			(459.8)
11	Strategic purchase						1,550.0		1,550.0
Total Estates Capital Programme		1,579.0	357.3	0.0	1,936.3	7,973.6	2,693.5	125.0	10,792.1

PROJECT ENTERPRISE
CAPITAL PROGRAMME

Ref	Scheme	February 2019				Outturn 2018/19			
		2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Evolution 50, Walworth Business Park	60.0			60.0	97.3			97.3
2	Walworth Business Park Investment 2	5,641.4			5,641.4	3,734.5	1,906.9		5,641.4
3	Andover Trade Park	126.5			126.5	126.5			126.5
4	Property 9 - Tintagel Close	206.3			206.3	206.2			206.2
5	Property 10 - Galahad Close	198.4			198.4	198.4			198.4
6	Solar Panels Ganger Farm Pavilion		60		60.0		60.0		60.0
7	Property 11 - Launcelot Close	194.4			194.4	194.4			194.4
8	Property 12 - Galahad Close	208.0			208.0	195.1			195.1
9	Property 13 - Launcelot Close	202.5			202.5	195.6			195.6
10	Investment Property 14	202.5			202.5		202.5		202.5
Total Approved Projects		7,040.0	60.0	0.0	7,100.0	4,948.0	2,169.4	0.0	7,117.4
Purchase of Investment properties - yet to be identified		3,000.0	3,000.0	3,000.0	9,000.0		3,000.0	3,000.0	6,000.0
Total Estates Capital Programme		10,040.0	3,060.0	3,000.0	16,100.0	4,948.0	5,169.4	3,000.0	13,117.4

HOUSING & ENVIRONMENTAL HEALTH SERVICE
CAPITAL PROGRAMME

Ref	Scheme	February 2019				Outturn 2018/19			
		2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Renovations and Minor Works Grants	30.0	100.0		130.0	10.8	100.0		110.8
2	Disabled Facilities Grants/Loans	750.0	850.0		1,600.0	546.6	850.0		1,396.6
Total H & EH Capital Programme		780.0	950.0	0.0	1,730.0	557.4	950.0	0.0	1,507.4

INFORMATION TECHNOLOGY SERVICE
CAPITAL PROGRAMME

Ref	Scheme	February 2019				Outturn 2018/19			
		2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
1	Sharepoint Server	12.0			12.0	2.7	9.3		12.0
2	CCTV for commercial vehicles	46.9			46.9	46.9			46.9
Total IT Capital Programme		58.9	0.0	0.0	58.9	49.6	9.3	0.0	58.9

**AFFORDABLE HOUSING
CAPITAL PROGRAMME**

Ref	Scheme	February 2019				Outturn 2018/19			
		2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total £000
	<u>Testway Covenant</u>								
1	Nightingale Lodge	810.0	810.0		1,620.0		810.0	810.0	1,620.0
2	Registered providers		300.0	300.0	600.0		300.0	300.0	600.0
Total Affordable Housing Capital Programme		810.0	1,110.0	300.0	2,220.0	0.0	1,110.0	1,110.0	2,220.0

	November 2018	February 2018	Outturn 2018/19	Total
Slippage 18/19				
Community & Leisure				
East Anton Public Art	53.0	(26.5)		26.5
Skate Parks		173.0	10.0	183.0
Andover War Memorial		17.6	1.7	19.3
Fitness Equipment - Valley Park		20.0		20.0
Boundary Fencing - Foxcotte Park		(58.0)	53.6	(4.4)
Ganger Farm - Sports & Recreation	640.0		(4.5)	635.5
Public Art - Adanac Park	60.0		(30.3)	29.7
Community Asset Fund			233.6	233.6
MUGA/Play Areas Picket Twenty			18.1	18.1
Charlton Lakes Footpath			2.0	2.0
Upgrade War Memorial Park Play area			3.1	3.1
Andover Leisure Centre			1,718.9	1,718.9
Play Areas - Jubilee Park, Nursling			69.8	69.8
Fishlake Meadows			50.7	50.7
SANG - Sherfield English			(2.0)	(2.0)
				3,003.8
Estates, Economic Development & Transport				
Town Mill Access & Environmental Enhancement	122.3		10.0	132.3
Romsey Flood Alleviation Scheme		235.0		235.0
Hampshire Community Bank			250.0	250.0
Generator - Business Continuity			40.0	40.0
Footpath link - Smannell to Augusta			164.0	164.0
				821.3
Project Enterprise				
Walworth Business Park Investment 2			1,906.9	1,906.9
Investment Property 14			202.5	202.5
IT				2,109.4
Sharepoint Server			9.3	9.3
				9.3
Affordable Housing				
Registered providers	300.0			300.0
Nightingale Lodge			810.0	810.0
				1,110.0
Slippage from 18/19 outturn	1175.3	361.1	5,517.4	<u>7053.8</u>

ITEM 9 Asset Management Outturn 2018/19

Report of the Finance Portfolio Holder

Recommended:

- 1. That the expenditure for the year on Asset Management projects, as shown in Annex 1, be noted.**
- 2. That the updated budget for Asset Management projects in 2019/20, as shown in Annex 2, be approved.**

SUMMARY:

- This report compares the actual expenditure on Asset Management Plan (AMP) projects with the approved budget for 2018/19.
- The total revised AMP budget in 2018/19 was £3.874M. Actual expenditure in the year was £2.723M, leaving an overall positive variance of £1.151M. The main reasons for the budget variance are explained below in section 5.
- After reviewing the outturn position for 2018/19, the AMP requirement for 2019/20 has been updated and is presented for approval.

1 Introduction

- 1.1 The Council's Asset Management Strategy 2011 – 2016 was approved by Council on 11 January 2012. The strategy detailed the Council's approach to identifying the assets it is responsible for maintaining and the methods used in prioritising necessary works to ensure assets remain operationally effective.
- 1.2 An update on the progress of the Asset Management Plan (AMP) for 2018/19 was presented to Cabinet in November 2018. As part of that report the AMP budget for the year was revised.
- 1.3 This report compares the actual expenditure in 2018/19 with the budget approved in November and explains the reasons for any significant variances.

2 Background

- 2.1 The Council has divided asset management into three separate areas which all form part of the AMP. These are; Property; Vehicles & Plant; and IT equipment.

- 2.2 The Estates Service carried out a condition survey on all land and buildings in the development of the Asset Management Strategy. The results of the survey were used to allocate each building into a priority category for works to be undertaken. This, combined with a review of how long the Council expects to retain individual properties, has informed the development of the land and buildings' element of the AMP.
- 2.3 This survey continues to be maintained by Estates and is updated on an ongoing basis.
- 2.4 All vehicles and plant are regularly serviced by the Council's internal vehicle workshop. The effectiveness of all vehicles is monitored as part of the servicing programme. Among other things, this includes identifying where vehicles' workloads are different to that expected which may alter the timing of their replacement and identifying vehicles with higher / lower than expected servicing costs. Service users also keep the number of vehicles / items of plant required to deliver services under regular review.
- 2.5 The IT Service has a register of all hardware and major software systems used by the Council with profiles of their expected useful lives. From this it is possible to plan when IT infrastructure will need to be replaced. For hardware this tends to be between once every three to five years whereas software packages tend to last longer.
- 2.6 The Council has entered into a shared IT infrastructure partnership with Winchester City Council, which includes the sharing of IT infrastructure assets. This means that all IT infrastructure costs are shared between both councils reducing the net impact on the AMP.

3 Corporate Objectives and Priorities

- 3.1 In order to deliver the key priorities identified in the Corporate Plan it is essential that the Council's underlying asset base is sufficiently maintained to be fit for purpose.
- 3.2 The Council has a significant land and property holding generating income that is a key part of the Council's revenue budget. Maintaining and improving this income stream will be a significant factor in the Council's financial strategy in the future and this has a clear link to the maintenance of the land and property assets themselves.

4 Consultations/Communications

- 4.1 Relevant Heads of Service have been consulted with regard to the investment required to maintain those assets for which they are responsible.

5 2018/19 AMP review

Land and Buildings

- 5.1 The revised budget for land and buildings' projects was £2.371M. A total of £1.647M was spent in the year. A summary of the expenditure, by property, can be found in Annex 1a.
- 5.2 The variance of £724,100 is made up of budget carry forwards of £622,700 (see below) and net savings on completed projects of £101,400, after £40,000 of further savings have been recycled into another project as described in paragraph 5.3 below.
- 5.3 The main reasons for the budget carry forward are:
- Savings of £40,000 have been identified on a number of Beech Hurst projects in 2018/19. These are to be recycled into a project in 2019/20 to finish the refurbishment of the toilets at Beech Hurst. The 2019/20 budget already includes £35,000 for these works but this will not be sufficient.
 - The reallocation of resources within the Estates and Economic Development service to assist with other corporate projects, such as finishing the significant works to accommodate the DWP, the works to the Council's newly purchased properties including those let to Valley Housing and the unprecedented amount of reactive work that has been completed during the year has contributed to the delay in the AMP programme.
 - Further advice on the system design has delayed the boiler replacement at Portway Depot.
 - Further feasibility work regarding the lift at the Guildhall is being undertaken due to the complexity of the facility.
 - Essential works to the roof at the Lights are underway and nearing completion.
 - Works at Romsey Heritage Centre are due to complete in May.
 - Technical difficulties have complicated and delayed the works to repair the walls at St Mary's Chapel, resulting in a carry forward of £49,900.
 - Works to the Andover War Memorial and the inspection of headstones and memorials have been delayed due to the level of consultation required with both the planning department and the diocese of Winchester.
 - Significant silt removal around the edges of Charlton boating lake was concluded in 2018. Some planting work was undertaken at this time, however a further period of settlement of the silt was allowed prior to the final planting work along the edges of the lake and reed bed areas. Planting is expected to commence at the beginning of June 2019.

- The availability of contractors has delayed works to several play areas. These schemes are either currently underway or planned for summer 2019.

Vehicles and Plant

- 5.4 The revised budget approved in November 2018 for replacement vehicles and plant was £1.221M.
- 5.5 Total expenditure on replacement vehicles and plant amounted to £829,200. This reduces down to £780,500 after taking account of income of £29,000 received from the sale of some of the replaced vehicles and plug in grants received when purchasing electric vehicles of £19,700 – a variance against the budget of £440,600. The details of this are shown in Annex 1b.
- 5.6 This variance is made up of £437,600 to be carried forward (see below) and savings of £3,000.
- 5.7 Throughout the year some operational requirements and estimated costs have changed. For instance, one van, two mowers and one trailer were not replaced £22,000, but an additional trailer at a cost of £12,000 was added in to the programme. Other items have come in higher than originally budgeted – for instance five tippers budgeted at £133,000 now costing £142,500. Flexibility within the programme to react to these changes is essential in order to meet operational requirements. All 23 items requested to be carried forward have been ordered with expected delivery dates ranging from early April to early July.
- 5.8 IT Infrastructure
- 5.9 The total cost of IT AMP projects delivered in the year was £247,000. This is £75,700 less than the approved estimate of £322,700 (which includes the addition of £41,000 for the replacement of the Multi-Functional Devices). This is made up of carry forwards of £71,100 and a saving of £4,600 and is shown in Annex 1c.
- 5.10 The reasons for the carry forwards are detailed below.
- 5.11 Third party skilled resource delays and unforeseen issues with testing have delayed the operating software project.
- 5.12 The Windows 10 back up technology project is behind schedule due to competing priorities for internal skilled resource across a number of dependent projects. IT vacancies have restricted the progress of projects over operational priorities.
- 5.13 The remaining funds for the Citrix upgrade are earmarked for consultancy and troubleshooting of issues.
- 5.14 The replacement of the Multi-Functional Devices was approved in March and funds added to the AMP from contingencies within the revenue budget. The delivery of the devices will not be until 2019/20.

6 Updated 2019/20 AMP requirement

Land and Buildings

- 6.1 The budget that was approved in November 2018 was split into two lists due to the availability of funding:
- Essential works which were included in the 2019/20 budget
 - Reserve works which could not be included in the programme at the time, as there was insufficient funding available
- 6.2 Funding for the reserve works is now available following approval of an additional transfer of £500,000 to the Asset Management Plan Reserve at Cabinet in February 2019. However, due to the volume of projects carried forward from 2018/19, these reserve works have not yet been scheduled and are shown on Annex 2a as 'scheduling to be agreed'.
- 6.3 All non-essential works to the Lights have been placed on hold and carried forward to 2020/21 due to the possible redevelopment of the area as part of the Andover Cultural Quarter project. Should the works become essential during the year, this can be reviewed.
- 6.4 Taking into account these changes and the carry forwards detailed in paragraph 5.3, the recommended budget for Land and Buildings for 2019/20 is £2.525M.
- 6.5 A summary of the items included in the AMP for 2019/20 is shown in Annex 2a.

Vehicles and Plant

- 6.6 The recommended budget for replacement of vehicles and plant in 2019/20 is £1.315M. A summary of the items included in the AMP for 2019/20 is shown in Annex 2b and includes the items carried forward from 2018/19.

IT Infrastructure

- 6.7 The recommended budget for IT infrastructure in 2019/20 is £335,100. A summary of the items included in the AMP for 2019/20 is shown in Annex 2c and includes the items carried forward from 2018/19.

7 Options

- 7.1 There are many possible ways of prioritising the individual assets that require maintenance and the extent to which work is carried out.
- 7.2 The amounts included in the annexes and recommended for inclusion in the AMP are based on the professional advice of officers from the Services concerned in the operation and management of the Council's assets.

- 7.3 The AMP is updated by Services on an ongoing basis. Given the wide portfolio of assets the Council manages, it is inevitable that there will need to be changes made to the plan before a further report is presented to Cabinet.
- 7.4 As part of the November 2018 AMP update, Cabinet resolved, '*That the Head of Finance, after consultation with the Finance Portfolio holder and Head of Service responsible for any project, be authorised to amend the Asset Management Plan during the year*', subject to there being a sufficient balance on the AMP reserve to fund any additional expenditure. This flexibility is considered essential if assets are to be maintained in the most efficient manner possible and is recommended to be continued within the limits of Financial Regulations.

8 Risk Management

- 8.1 A risk assessment has been completed in accordance with the Council's Risk management process and has identified the following significant (Red or Amber) residual risks that cannot be fully minimised by existing or planned controls or additional procedures. These are shown summarised below.
- 8.2 There is a risk that the projects included in the AMP will not be delivered as scheduled leading to assets falling into disrepair. This will be monitored by regular progress reviews of the AMP by responsible officers and update reports to Cabinet.
- 8.3 There is a risk that there will be insufficient funds available to meet AMP requirements. The current level of the AMP reserve is just sufficient to fund the programme included in this report; however, there continues to be the need to seek sustainable funding for the AMP.
- 8.4 There is a risk of claims resulting from loss or injury caused by / contributed to as a result of poorly maintained Council owned property. This will be monitored by regular progress reviews of the AMP by responsible officers and update reports to Cabinet.

9 Resource Implications

- 9.1 The costs of the AMP in 2018/19 and 2019/20 are shown in paragraphs 5 and 6 above and in annexes 1 and 2. All these costs will be met from a specific reserve created to fund asset management costs.

Financing the AMP

- 9.2 The AMP is mainly funded in three ways:
- Firstly, there is a contribution from the revenue budget. This is currently £1.217M per annum with an additional £900,000 in 2018/19 and 2019/20.

- Secondly, where the Council has a revenue surplus at the end of the year an element of this can be used to top-up the reserve. A £500,000 top up was approved for 2018/19 as part of the Revenue Budget report to Cabinet in February 2019. The Revenue Outturn report for 2018/19 (also on the agenda for this meeting) identifies a surplus, part of which is recommended to be transferred to the AMP reserve. This is not reflected in the table below, but will increase the level of reserve carried forward and available to finance future years' AMP requirements.
- Finally, there may be earmarked reserves or sources of income to finance specific projects. For example, the playgrounds in 2018/19 and 2019/20 are to be funded by New Homes' Bonus receipts in the year.

9.3 At 31 March 2018 the Council's AMP reserve balances stood at £1.847M. It is expected that the reserve balance at 31 March 2020 will be £541,000. The movement in the reserve balance is shown in the table below.

	£'000
Asset Management Reserves at 31 March 2018	1,847
Budgeted transfer – 2018/19	2,117
New Homes Bonus contribution to AMP	320
Additional contribution from revenue approved at Cabinet in February 2019	500
Other contributions to AMP from tenants / other agencies	134
Sale of vehicles / plug in grants	48
Virement from contingency re Multi-Functional Devices	41
Land and Property Requirement 2018/19	(1,647)
Vehicle and Plant Requirement 2018/19	(829)
IT Infrastructure Requirement 2018/19	(247)
Actual balance at 31 March 2019	2,284
Transfers in to reserve 2019/20	2,117
Other contributions to AMP – New Homes Bonus	315
Land and Property Requirement 2019/20	(2,525)
Vehicle and Plant Requirement 2019/20	(1,315)

IT Infrastructure Requirement 2019/20	(335)
Forecast Asset Management Reserves at 31 March 2020	541

The proposed AMP items comprise both revenue and capital expenditure. Expenditure is classified as capital when the total cost is over £10,000 and it is for the purchase of a new asset, materially lengthens the useful life of an existing asset, or adds value to the asset being modified. All other expenditure on the routine maintenance and repair of assets will be treated as revenue expenditure.

10 Legal Implications

- 10.1 Those tenants occupying Council owned properties for which the Council is responsible for maintenance could, in the event of their property falling into disrepair, take action against the Council as their landlord. This is covered in the risk assessment (paragraph 8.4).

11 Equality Issues

- 11.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination or negative impact has been identified, therefore a full EQIA has not been carried out.

12 Conclusion and reasons for recommendation

- 12.1 All AMP activities in the year have been reviewed and performance against budget noted throughout the report. In light of this review, all items covered by the Council's AMP have been considered and those most in need of repair or replacement included in the AMP for 2019/20.
- 12.2 For this reason it is recommended that the updated AMP items in Annex 2 are included in the AMP for 2019/20.
- 12.3 Asset management needs to have flexibility due to the difficulty of knowing exactly when an item will need repair or replacement. In order to ensure that operational efficiency is not impaired, the Head of Finance has delegated authority to ensure that unforeseen works can be undertaken without undue delay.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance)			
Officer:	Jenni Carter	Ext:	8236
Report to:	Cabinet	Date:	20 May 2019

LAND & BUILDINGS
ASSET MANAGEMENT REQUIREMENT 2018/19

<u>Property Name</u>	<u>2018/19</u> <u>Updated</u> <u>Budget</u> £	<u>Budget</u> <u>Changes</u> £	<u>Actual Spend</u> £	<u>Carry</u> <u>Forward to</u> <u>2019/20</u> £	<u>Budget</u> <u>Remaining</u> £
<u>Estates & Economic Development</u>					
Andover Bus Station	82,797	0	63,077	(1,306)	18,414
Beech Hurst	389,889	(799)	283,418	(96,411)	9,261
Broadwater Road Public Conveniences & Offices	10,729	0	9,990	(739)	0
Charlton Sports Centre	7,000	0	2,435	0	4,565
Crosfield Hall	8,033	0	3,823	(4,210)	0
Fleming Avenue	7,627	115	7,742	0	0
Former Magistrates Court, Romsey	1,000	0	0	(1,000)	0
Guildhall	102,080	0	2,480	(99,600)	0
Investment Properties	48,706	0	58,655		(9,949)
Longmeadow Hall	1,500	(165)	1,125		210
The Lights	54,775	0	12,126	(42,649)	0
Portway Depot	115,101	799	22,524	(93,376)	0
Romsey Heritage Centre and Tourist Info Cen	60,000	0	0	(60,000)	0
St Mary's Churchyard	50,597	0	660	(49,937)	0
Town Mill House	1,766	50	1,816		0
Walworth Enterprise Centre	315,106	0	257,036	(23,783)	34,287
Portway Business Park	0	0	0		0
Valley Park Community Centre	15,000	0	13,978		1,022
Various sites - surveys	51,540	0	22,737	(28,803)	0
Total Estates & Economic Development	1,323,246	0	763,622	(501,814)	57,810
<u>Community & Leisure</u>					
Beech Hurst	1,525	0	1,525		0
Cemeteries / Memorials	35,608	0	18,604	(13,118)	3,886
Green Spaces	573,736	0	513,158	(34,307)	26,271
The Lights	17,500	0	6,225		11,275
Playgrounds	335,500	0	280,209	(55,028)	263
Sports Facilities	84,247	0	63,972	(18,389)	1,886
Total Community & Leisure	1,048,116	0	883,693	(120,842)	43,581
Total Land & Buildings Requirement for 2018/19	2,371,362	0	1,647,315	(622,656)	101,391

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2018/19

<u>Unit</u>	<u>Type of Asset</u>	<u>2018/19 Updated Budget</u>	<u>Budget Changes</u>	<u>Actual spend to Date</u>	<u>Part exchange / plug in grant</u>	<u>Carry Forward to 2019/20</u>	<u>Budget Remaining</u>
Grounds Maintenance	Tipper	27,000				(30,510)	(3,510)
Dog Warden	Van	15,000	4,004	19,004			0
Street Cleansing	Van	18,000		23,000			(5,000)
Grounds Maintenance	Van	18,000		23,000			(5,000)
Grounds Maintenance	Tipper	27,000				(30,510)	(3,510)
Street Cleansing	Tipper	27,000				(27,180)	(180)
Street Cleansing	Tipper	27,000				(27,179)	(179)
Street Cleansing	Tipper	25,000				(27,179)	(2,179)
Grounds Maintenance	Tipper	27,000				(30,510)	(3,510)
Grounds Maintenance	Tipper	27,000				(30,510)	(3,510)
Building Maintenance	Van	22,000				(25,295)	(3,295)
Building Maintenance	Van	24,000	3,468			(30,539)	(3,071)
Building Maintenance	Van	14,500				(19,638)	(5,138)
Building Maintenance	Van	22,000				(23,878)	(1,878)
Building Maintenance	Van	25,000	617	25,617			0
Grounds Maintenance	Mower	-					0
Grounds Maintenance	Flail Mower	15,000	1,250			(16,250)	0
Grounds Maintenance	Cylinder Mower	5,300		5,720			(420)
Grounds Maintenance	Rotary Mower	18,000		16,979			1,021
Grounds Maintenance	Flail Mower	13,000	3,200			(16,450)	(250)
Grounds Maintenance	Trailer	11,700				(12,000)	(300)
Street Cleansing	Sweeper	128,890		128,890			0
Grounds Maintenance	Mower	28,000		29,329			(1,329)
Grounds Maintenance	Mower	20,000		19,035			965
Grounds Maintenance	Mower	4,300	2,295	6,595			0
Waste Collection	Refuse Collection Vehicle	161,788		161,788			0
Waste Collection	Refuse Collection Vehicle	161,788		161,788			0
Building Maintenance	Van	8,089	(8,089)				0
Grounds Maintenance	Tipper	28,000				(28,960)	(960)
Grounds Maintenance	Mower	15,500				(16,450)	(950)
Grounds Maintenance	Trailer	3,800				(1,450)	2,350
Grounds Maintenance	Trailer	3,500				(2,695)	805
Grounds Maintenance	Trailer	3,800		4,084			(284)
Grounds Maintenance	Trailer	3,800	(3,800)				0
Grounds Maintenance	Mower	4,100	255			(4,450)	(95)
Grounds Maintenance	Mower	3,800		6,810			(3,010)
Grounds Maintenance	Mower	7,000	(7,000)				0
Grounds Maintenance	Mower	3,200	(3,200)				0
Grounds Maintenance	Trailer	4,000				(1,775)	2,225
Grounds Maintenance	Mower	9,500	7,000			(16,650)	(150)
Grounds Maintenance	Mower	30,000	(12,000)	16,979			1,021
Grounds Maintenance	Trailer	-	12,000			(12,000)	0
Vehicle Workshop	Specialist Equipment	5,500				(5,500)	0
Waste Collection	Van	14,643		18,584	(3,940)		0
Building Maintenance	Van	14,643		18,584	(3,940)		0
Building Maintenance	Van	14,643		18,584	(3,940)		0
Street Cleansing	Van	14,643		18,584	(3,940)		0
Vehicle Workshop	Van	14,643		18,584	(3,940)		0
Grounds Maintenance	Trailer	1,050		1,550	(500)		0
Vehicle Workshop	Vehicle Maintenance	100,000		86,095			13,905
Various	Sale of various vehicles	-			(28,487)		28,487
Total Vehicles & Plant Requirement 2018/19		1,221,122	0	829,181	(48,688)	(437,558)	3,071

IT INFRASTRUCTURE - ASSET MANAGEMENT REQUIREMENT 2018/19

<u>Description</u>	<u>2018/19 Updated Budget</u>	<u>Budget Changes</u>	<u>Actual spend to Date</u>	<u>Carry Forward to 2019/20</u>	<u>Budget Remaining</u>
	£	£	£	£	£
Laptops, PC, Wyse ,etc...	61,383	73	61,456		0
Operating Software	10,000			(10,000)	0
Backup Hardware/Technology	15,000			(15,000)	0
Capita Upgrade	15,675		15,675		0
Information at Work Upgrade	14,874	(1,095)	11,263		2,516
Finance system upgrade	13,850		13,850		0
Uninterrupted Power Supply	9,998	835	10,833		0
ArcServe replacement	19,828		19,828		0
Citrix upgrade	44,000		38,874	(5,126)	0
ShoreTel upgrade	7,056	187	7,243		0
Meeting Room Comms Equipment	70,000		67,940		2,060
Multi Functional Devices		41,000		(41,000)	0
Total IT Infrastructure requirement 2018/19	281,664	41,000	246,962	(71,126)	4,576

LAND & BUILDINGS
ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Property Name</u>	<u>2019/20</u> <u>Budget</u>	<u>Budget</u> <u>Changes</u>	<u>Brought</u> <u>Forward from</u> <u>2018/19</u>	<u>Carry</u> <u>Forward to</u> <u>2020/21</u>	<u>2019/20</u> <u>Budget</u>
	£	£	£		£
<u>Estates & Economic Development</u>					
18 Market Place	25,000				25,000
Andover Bus Station	0		1,306		1,306
Beech Hurst	573,214		96,411		669,625
Broadwater Road	8,000		739		8,739
Crosfield Hall	0		4,210		4,210
Former Magistrates Court, Romsey	0		1,000		1,000
Guildhall	116,393		99,600		215,993
The Lights	254,000		42,649	(224,000)	72,649
Portway Depot	70,000		93,376		163,376
Romsey Heritage Centre and Tourist Info Cen	0		60,000		60,000
St Mary's Churchyard	10,000		49,937		59,937
Various sites - surveys	70,000		28,803		98,803
Walworth Enterprise Centre	20,000		23,783		43,783
Total Estates & Economic Development	1,146,607	0	501,814	(224,000)	1,424,421
<u>Community & Leisure</u>					
Cemeteries / Memorials	0		13,118		13,118
Green Spaces	264,000		34,307		298,307
The Lights	20,000				20,000
Playgrounds	260,000		55,028		315,028
Sports Facilities	134,700		18,389		153,089
Total Community & Leisure	678,700	0	120,842	0	799,542
<u>Scheduling to be agreed:</u>					
<u>Estates & Economic Development</u>					
Hunts Farm	0	10,000			10,000
Portway Depot	0	150,000			150,000
Total Estates & Economic Development	0	160,000	0	0	160,000
<u>Community & Leisure</u>					
Cemeteries / Memorials	0	20,000			20,000
Green Spaces	0	82,000			82,000
Sports Facilities	0	38,800			38,800
Total Community & Leisure	0	140,800	0	0	140,800
Total Land & Buildings Requirement for 2019/20	1,825,307	300,800	622,656	(224,000)	2,524,763

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Unit</u>	<u>Type of Asset</u>	<u>2019/20</u> <u>Budget</u>	<u>Brought</u> <u>Forward</u> <u>from</u> <u>2018/19</u>	<u>2019/20</u> <u>Budget</u>
		£	£	£
Grounds Maintenance	Chipper	10,000		10,000
Grounds Maintenance	Tractor	13,500		13,500
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Tipper	27,000		27,000
Pest Control	Van	13,000		13,000
Pest Control	Van	13,000		13,000
Grounds Maintenance	Van	23,000		23,000
Grounds Maintenance	Van	23,000		23,000
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Tipper	27,000		27,000
Grounds Maintenance	Specialist Equipment	2,500		2,500
Street Cleansing	Sweeper	131,000		131,000
Grounds Maintenance	Rotary Mower	5,000		5,000
Grounds Maintenance	Rotary Mower	5,000		5,000
Grounds Maintenance	Excavator	19,000		19,000
Grounds Maintenance	Cylinder Mower	3,600		3,600
Vehicle Workshop	Van	13,000		13,000
Street Cleansing	Van	13,500		13,500
Grounds Maintenance	Rotary Mower	5,900		5,900
Grounds Maintenance	Rotary Mower	5,900		5,900
Grounds Maintenance	Rotary Mower	5,900		5,900
Grounds Maintenance	Rotary Mower	16,000		16,000
Waste Collection	Truck	67,000		67,000
Waste Collection	Van	38,000		38,000
Portway Depot	Specialist Equipment	10,000		10,000
Grounds Maintenance	Specialist Equipment	3,500		3,500
Street Cleansing	Trailer	6,364		6,364
Grounds Maintenance	Trailer	3,500		3,500
Street Cleansing	Trailer	2,500		2,500
Grounds Maintenance	Trailer	3,200		3,200
Grounds Maintenance	Trailer	3,500		3,500
Building Maintenance	Washer	15,000		15,000
Grounds Maintenance	Rotary Mower	4,700		4,700
Vehicle Workshop	Specialist Equipment	5,003		5,003
Vehicle Workshop	Specialist Equipment	50,000		50,000

VEHICLES & PLANT - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Unit</u>	<u>Type of Asset</u>	<u>2019/20</u> <u>Budget</u>	<u>Brought</u> <u>Forward</u> <u>from</u> <u>2018/19</u>	<u>2019/20</u> <u>Budget</u>
		£	£	£
Grounds Maintenance	Tipper	-	30,510	30,510
Grounds Maintenance	Tipper	-	30,510	30,510
Street Cleansing	Tipper	-	27,180	27,180
Street Cleansing	Tipper	-	27,179	27,179
Street Cleansing	Tipper	-	27,179	27,179
Grounds Maintenance	Tipper	-	30,510	30,510
Grounds Maintenance	Tipper	-	30,510	30,510
Building Maintenance	Van	-	25,295	25,295
Building Maintenance	Van	-	30,539	30,539
Building Maintenance	Van	-	19,638	19,638
Building Maintenance	Van	-	23,878	23,878
Grounds Maintenance	Flail Mower	-	16,250	16,250
Grounds Maintenance	Flail Mower	-	16,450	16,450
Grounds Maintenance	Trailer	-	12,000	12,000
Grounds Maintenance	Tipper	-	28,960	28,960
Grounds Maintenance	Mower	-	16,450	16,450
Grounds Maintenance	Trailer	-	1,450	1,450
Grounds Maintenance	Trailer	-	2,695	2,695
Grounds Maintenance	Mower	-	4,450	4,450
Grounds Maintenance	Trailer	-	1,775	1,775
Grounds Maintenance	Mower	-	16,650	16,650
Grounds Maintenance	Trailer	-	12,000	12,000
Vehicle Workshop	Specialist Equipment	-	5,500	5,500
Vehicle Workshop	Vehicle Maintenance	100,000		100,000
Total Vehicles & Plant Requirement 2019/20		877,067	437,558	1,314,625

IT INFRASTRUCTURE - ASSET MANAGEMENT REQUIREMENT 2019/20

<u>Description</u>	<u>2019/20</u> <u>Budget</u>	<u>Brought</u> <u>Forward from</u> <u>2018/19</u>	<u>2019/20</u> <u>Budget</u>
	£		
Laptops, PC, Wyse ,etc...	100,000		100,000
SAN Upgrade	90,000		90,000
Cabling / Networking	6,000		6,000
Sophos Upgrade	15,000		15,000
IDOX Upgrade	15,000		15,000
Other migrations	15,000		15,000
C Series Bottomline Upgrade	15,000		15,000
CCTV	8,000		8,000
Operating Software		10,000	10,000
Backup Hardware/Technology		15,000	15,000
Citrix upgrade		5,126	5,126
Multi Functional Devices		41,000	41,000
Total IT Infrastructure requirement 2019/20	264,000	71,126	335,126

ITEM 10 Treasury Management Outturn 2018/19

Report of the Finance Portfolio Holder

Recommended:

That the Annual Treasury Management Report for 2018/19 and the Prudential Indicators for the year as shown in the Annex to the report be noted.

SUMMARY:

- This report reviews the performance of the Treasury Management function in 2018/19 compared with the forecasts and policies set out for last year.
- Investment income for the year was £69,900 more than included in the forecast.

1 Introduction

- 1.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2018/19. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).
- 1.2 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

2 The Council's Capital Expenditure and Financing

- 2.1 The Council undertakes capital expenditure on long-term assets. These activities may either be:
 - Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
 - If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.
- 2.2 The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

£m	2017/18 Actual	2018/19 Budget	2018/19 Actual
Capital expenditure	17.5	30.7	28.5
Financed in year	17.5	30.7	22.6
Unfinanced capital expenditure	0	0	5.9

3 The Council's Overall Borrowing Need

- 3.1 The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR).
- 3.2 **Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2017/18) plus the estimates of any additional capital financing requirement for the current (2018/19) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital needs in 2018/19. The table in Annex 1 highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

4 Treasury Performance in 2018/19

- 4.1 The Council managed all the investments in-house in 2018/19. For the first time after many years of being debt free, the Council utilised long term borrowing to partly finance the rebuilding of Andover Leisure Centre.
- 4.2 Most investments during the year were placed in call-accounts or fixed-term deposits for durations of up to one year, with the exception of investments to a Local Authority totalling £5M for five years.
- 4.3 The average return on investments for the year was 0.83% compared to the average 7 day Libid benchmark of 0.51%, an out-performance of 0.32%.
- 4.4 The Council's investment position at the end of the year is detailed below.

	Principal at 31/03/19 £M	Principal at 31/03/18 £M	Rate of Return 2018/19 %	Benchmark Return %	Variance %
Internally Managed Investments	57.2	60.3	0.83	0.51	+0.32

- 4.5 Of the principal invested at 31 March 2019, £35.5M was invested in fixed rate, fixed term deposits and the remainder was invested in call accounts with access ranging from immediate to 95 days' notice.
- 4.6 A comparison of the investment interest earned with the original budget and forecast is shown in the table below.

	Original Budget 2018/19 £000	Forecast 2018/19 £000	Actual 2018/19 £000	Variance to Original £000
Interest on Investments	419.7	554.4	624.3	204.6

- 4.7 Income received on the Council's cash balances was higher than forecast due to higher income from rents, lower salary costs, slippage in the Capital Programme and Asset Management Plan and higher investment rates than forecast. This resulted in a favourable variance of £204,600 when measured against the original budget, and £69,900 when compared to the budget forecast prepared in February 2019.

5 The strategy for 2018/19

- 5.1 Investment returns remained low during 2018/19. The expectation for interest rates within the treasury management strategy for 2018/19 was that Bank Rate would rise from 0.50% to 0.75%. At the start of 2018-19, and after UK GDP growth had proved disappointingly weak in the first few months of 2018, the expectation for the timing of this increase was pushed back from May to August 2018. Investment interest rates were therefore on a gently rising trend in the first half of the year after April, in anticipation that the MPC would raise Bank Rate in August. This duly happened at the MPC meeting on 2 August 2018. During this period, investments were, therefore, kept shorter term in anticipation that rates would be higher later in the year.
- 5.2 It was not expected that the MPC would raise Bank Rate again during 2018-19 after August in view of the fact that the UK was entering into a time of major uncertainty with Brexit due in March 2019. Value was therefore sought by placing longer term investments after 2 August where cash balances were sufficient to allow this.
- 5.3 Investment rates were little changed during August to October but rose after the MPC meeting of 1 November was unexpectedly hawkish about their perception of building inflationary pressures, particularly from rising wages. However, weak GDP growth data after December, plus increasing concerns generated by Brexit, resulted in investment rates falling back again.
- 5.4 Continued uncertainty in the aftermath of the 2008 financial crisis has promoted a cautious approach whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

- 5.5 The primary objective for investments placed was, and continues to be, the security of the investment. The impact of this is that returns continue to be low, but the Council remains well placed to take advantage of increases in interest rates when they eventually come.

6 Prudential Indicators and Treasury Limits

Prudential Indicators

- 6.1 The prudential indicators and borrowing limits are shown in Annex 1 and are relevant for setting an integrated treasury management statement.
- 6.2 The first indicator is the ratio of financing costs to net revenue stream. This compares the Council's net investment income and borrowing expenditure as a ratio of the budget requirement. A negative figure shows that investment income is greater than borrowing costs.
- 6.3 The second indicator is the Capital Financing Requirement (CFR). This is the total amount by which the funding of capital expenditure is reliant on external borrowing.

7 Consultations/Communications

- 7.1 The Council's treasury advisors, Link Asset Services, have been consulted in the preparation of this report.

8 Equality Issues

- 8.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination or low level negative impact have been identified, therefore a full EQIA has not been carried out.

9 Conclusion and reasons for recommendation

- 9.1 The Council achieved an average investment income rate of 0.83% in the year compared with an average benchmark figure of 0.51%.
- 9.2 Actual income for the year exceeded the original estimate by £204,600.
- 9.3 The report summarises performance during 2018/19. It does not propose any changes in respect of Treasury Management in the future and therefore the recommendation is that the report be noted.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Finance)			
Officer:	Laura Berntsen	Ext:	8204
Report to:	Cabinet	Date:	20 May 2019

PRUDENTIAL INDICATORS

PRUDENTIAL INDICATOR	2017/18	2018/19	2018/19	2019/20	2020/21
EXTRACT FROM BUDGET	£'000	£'000	£'000	£'000	£'000
	Actual	Forecast	Actuals	Estimate	Estimate
Capital Expenditure	17,475	30,291	28,011	17,183.4	5,785
Ratio of financing costs to net revenue stream	-4.3%	-4.8%	-4.5%	-1.8%	-1.5%
Capital Financing Requirement (CFR) b/f	-678	-678	-678	5,222	7,032.2
Minimum Revenue Provision				-187.0	-191.2
External Debt		5,900	5,900	1,997.2	0
Capital Financing Requirement (CFR) c/f	-678	5,222	5,222	7,032.2	6,841.0
Gross debt <= CFR actuals + 3 years					
Gross debt		5,900	5,900	7,695.4	7,465.6
CFR + 3 years movement		5,222	7,219.2	7,219.2	7,032.2
Difference		678	(1,319.2)	476.2	433.4
Notes: Gross debt higher than CFR due to negative CFR b/f in 2018/19 Marginal over borrowing position shown in 2019/20 and 2020/21 will fall each year as principal and interest repaid.					

PRUDENTIAL INDICATORS

PRUDENTIAL INDICATOR	2017/18	2018/19	2019/20	2020/21	2021/22
TREASURY MANAGEMENT PRUDENTIAL INDICATORS	£'000	£'000	£'000	£'000	£'000
	Actual	Actual	Estimate	Estimate	Estimate
Authorised Limit for external debt	15,000	20,000	20,000	20,000	20,000
Operational Boundary for external debt	10,000	15,000	15,000	15,000	15,000
Upper limit for fixed interest rate exposure					
Net principal re fixed rate borrowing / investments	100 %	100 %	100 %	100 %	100 %
Upper limit for variable rate exposure					
Net principal re variable rate borrowing / investments	50 %	50 %	50 %	50 %	50 %
Upper limit for total principal sums invested for over 364 days (amount shown subject to being not more than 50% of the portfolio size at the time the investment is placed)	£35,000	£35,000	£35,000	£35,000	£35,000
Maturity structure of fixed rate borrowing during 2019/20	Upper limit		Lower limit		
Less than 1 year	100 %		0 %		
1 year to less than 2 years	100 %		0 %		
2 years to less than 5 years	100 %		0 %		
5 years to less than 10 years	100%		0 %		
10 years or longer	100%		0 %		
Note: During 2019/20 short term borrowing is expected to meet cash flow requirements and may be used to finance the current temporary deficit on the Capital Programme.					

ITEM 11

Valley Housing Matters

Report of the Finance Portfolio Holder

Recommended:

That the Finance Portfolio be appointed as the Council's shareholder representative on the Board of Valley Housing Ltd.

SUMMARY:

- Valley Housing Ltd was incorporated in April 2016. Test Valley Borough Council is the 100% shareholder.
- The Council can appoint a shareholder representative to the Board of Valley Housing Ltd. Following the retirement of Councillor Giddings at the recent Borough elections, a new appointment is necessary.

1 Introduction

- 1.1 The Council established a wholly-owned subsidiary company, Valley Housing Ltd (VHL), in April 2016. This was pursuant to Cabinet approval on 28 October 2015.
- 1.2 The Operational Agreement between the Council and VHL ensures that the Council maintains a degree of control over the activities of VHL.
- 1.3 The Council is able to appoint an executive member as its shareholder representative on the Board of VHL. Councillor Giddings was previously appointed to this role.
- 1.4 Rather than naming an individual Councillor to fulfil this role, it is recommended that it forms part of the responsibilities of the Finance Portfolio Holder.

2 Options

- 2.1 Cabinet has the option to appoint an executive member as the Shareholder Representative on the Board of Valley Housing Ltd. It is not a requirement that such an appointment is made.

3 Option Appraisal

- 3.1 The shareholder representative is entitled to call and attend general meetings of the company and exercise all the rights of a shareholder at such a meeting.
- 3.2 Without appointing a representative, the ability to efficiently respond to a general meeting notice or vote at such a meeting will be impaired.

4 Risk Management

4.1 An evaluation of the risks indicates that the existing controls in place mean that no significant risks have been identified at this time.

5 Resource Implications

5.1 There are no resource implications arising from this report.

6 Equality Issues

6.1 This report does not identify any equality issues.

7 Conclusion and reasons for recommendation

7.1 The appointment of a shareholder representative on the Board of VHL will ensure that the Council is able to be represented at general meetings of the company.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Finance)			
Officer:	Carl Whatley	Ext:	8540
Report to:	Cabinet	Date:	20 May 2019

ITEM 12

Project Enterprise Outturn 2018/19

Report of the Finance Portfolio Holder

Recommended:

That the outturn position for Project Enterprise investments in 2018/19 be noted.

SUMMARY:

- The Council has created a workstream, known as Project Enterprise, to generate income and reduce the Council's reliance on external government funding.
- This report summarises the return on investment made during the 2018/19 financial year from Project Enterprise projects and compares the results with the original business case for each project.

1 Introduction

- 1.1 Project Enterprise (PE) was established in 2014 to increase the income generated by the Council from its investments and reduce its reliance on central Government funding.
- 1.2 On 10 October 2018, Cabinet approved the Medium Term Financial Strategy (MTFS) for 2019-22. This strategy sets out that the Council will continue to seek new investment opportunities through Project Enterprise to achieve its objectives.
- 1.3 This report summarises the 2018/19 outturn position of projects completed as part of PE.

2 Background

- 2.1 Since 2014, the Council has invested in a number of projects that have sought to generate additional revenue income. This additional income has been generated by investing the cash reserves held by the Council in projects that will yield greater returns than the current investment portfolio.
- 2.2 This report examines the amount of investment that has been made in PE projects and reviews the results achieved by them in 2018/19. It also considers other projects that have been approved by Council which will be completed in future financial years.
- 2.3 The amount of investment in completed PE projects at 31 March 2019 was £30.425M, of which £3.966M related to projects that were completed in 2018/19. Three further projects have commenced or been approved with a total 2019/20 budget of £6.426M.

- 2.4 The performance of PE projects can usefully be compared with the results of the Council's treasury management function. The Treasury Management Outturn report is presented elsewhere on this agenda.
- 2.5 The purpose of this report is to account in the public domain for the Council's expenditure insofar as this can be done without breaching commercial confidences or impeding projects which have not yet been completed. These latter considerations necessitate a confidential annex.
- 2.6 Inevitably, over time, information will move from the confidential annex into the public report as transactions are completed.

3 Corporate Objectives and Priorities

- 3.1 The MTF5 sets out that the Council will continue to seek out new investment opportunities through Project Enterprise, making better use of cash resources to enhance revenue returns.

4 Project Enterprise Investments

- 4.1 The following table shows a summary of the total cost of properties purchased by the Council as part of PE up to 31 March 2019.
- 4.2 Overall rental income figures and returns on investment are included in the Resource Implications section below.

	Total cost £'000
Investment properties held throughout the year	
Sopwith Park, Portway Business Park	912
Imperial Court, Walworth Business Park	696
Plot 88, Walworth Business Park	4,587
Shirley Road, Southampton	5,773
Bitterne Road, Southampton	4,952
Hambridge Lane, Newbury	1,670
Andover Trade Park	6,738
Housing purchases / development	1,080
Solar panels at Portway depot	51
Sub-Total	26,459

Investment properties completed during the year	
Purchase of five houses in Andover	990
Completion of Evolution 50 development	2,976
Total expenditure on investment property	30,425

- 4.3 Further information, including the rental income achieved from each investment and the asset valuations as at 31 March 2019 (which are commercially confidential information) and explanations of movement from the original business cases, are shown in the confidential annex.
- 4.4 Unlike most of the projects in the table above, which are retained by the Council for ongoing rental income, the completion of the Evolution 50 development concluded with a sale of the property to generate a one-off capital receipt. The details of this transaction are commercially sensitive and are discussed in more detail in the confidential annex.
- 4.5 Net rental income from PE properties held by the Council throughout 2018/19 was £1.924M. Rental income of £18,000 was generated from investments that were completed in the year.
- 4.6 The net income from properties held throughout the year was £66,000 more than the £1.858M that was forecast in the approved business cases. The main reasons for this are discussed in the confidential annex.
- 4.7 The average return on investment achieved in the year was 7.3%.
- 4.8 At 31 March 2019, three further investments had been approved by the Council. The biggest of the projects is expected to reach completion in June, with the other two expected to be completed in the summer of 2019. The approved capital budgets and income projections are shown in the confidential annex.

5 Risk Management

- 5.1 This report is for information purposes so the Council's Risk management process does not need to be applied.

6 Resource Implications

Capital Reserves

- 6.1 All PE property investments have been financed from the Capital Receipts Reserve.
- 6.2 Approved expenditure for PE projects is now in excess of £36.8M. To ensure the long-term sustainability of the Capital Receipts Reserve, some of the rental income earned each year will be used to repay the reserve.

- 6.3 This will be by way of a transfer equivalent to 2% of the capital expenditure, ensuring that the full capital cost is repaid over the life of the investments.
- 6.4 More information on the forecast balance of the Capital Receipts Reserve is included in the Capital Outturn report elsewhere on this agenda. This identifies £6M of approved funding for Project Enterprise projects for 2019/20 to 2020/21. Once this has been exhausted, the Council is expected to be in a position where external borrowing is required to fund future investments. This will need to be considered when preparing the business case for future property purchase or development.

Revenue Implications

- 6.5 The properties purchased above all form part of the corporate property portfolio that is managed by the Estates & Economic Development Service.
- 6.6 Income from PE properties owned by the Council throughout the 2018/19 financial year generated £1.924M in rental income at an average return on investment of 7.3%.
- 6.7 By comparison, the Council's cash investment portfolio generated an average return of 0.83% in the year.
- 6.8 Overall, this equates to an additional income for the Council of £1.7M as a result of the PE investments held throughout the year.

Forecast for 2019/20

- 6.9 If the income levels received in 2018/19 continue and the latest completions generate income in line with their business case, rental income in 2019/20 is expected to be exceed £2M.
- 6.10 If this is the case Project Enterprise investments will yield in excess of £1.75M additional income for the Council than would have been generated in cash reserves.

7 Conclusion and reasons for recommendation

- 7.1 This report reviews the performance of the investments made under the Project Enterprise programme in the 2018/19 financial year.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
<p>Report - It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.</p> <p>Annex - It is considered that the annex to this report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of both the Council and third parties.</p>			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Finance)			
Officer:	Carl Whatley	Ext:	8540
Report to:	Cabinet	Date:	20 May 2019

ITEM 13 Eastleigh Borough Council/Test Valley Borough Council Liaison Group

Report of the Corporate Portfolio Holder

Recommended:

That Councillor, Councillor, Councillor and Councillor be appointed to the Eastleigh Borough Council/Test Valley Borough Council Liaison Group.

SUMMARY:

- The Borough Council has had a joint arrangement with Eastleigh Borough Council for many years to consider matters of mutual interest. It is necessary to appoint members to this Liaison Group.

1 Background

- 1.1 Councillors Anderdon, A Dowden, Finlay and Hatley were appointed to serve on this Liaison Group in 2018/19.

2 Corporate Objectives and Priorities

- 2.1 The joint arrangements provide for the discharge of a Council function which contributes to the Council's Corporate Objectives.

3 Conclusion

- 3.1 That four Members be appointed to the Liaison Group.

Background Papers (Local Government Act 1972 Section 100D)

None

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	0	File Ref:	N/A
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(Portfolio: Corporate)

Officer:	Karen Dunn	Ext:	8401
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Report to:	Cabinet	Date:	20 May 2019
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ITEM 14 Partnership for Urban South Hampshire (PUSH)

Report of the Corporate Portfolio Holder

Recommended:

That the Planning Portfolio Holder be appointed to the Partnership for Urban South Hampshire Committee.

SUMMARY:

- The Borough Council has had a joint voluntary agreement with ten other local authorities across South Hampshire to deliver regeneration of the core urban areas in the south Hampshire sub-region.
- It is necessary to appoint a member to the Joint Committee.

1 Background

- 1.1 The Cabinet needs to address the appointment of a Councillor to serve on the Joint Committee.

2 Resource Implications

- 2.1 There are no resource implications other than travel costs.

3 Corporate Objectives and Priorities

- 3.1 The joint arrangements provide for the discharge of a Council function which contributes to the Council's Corporate Objectives.

4 Conclusion

- 4.1 It is recommended that the Planning Portfolio Holder be appointed to the Joint Committee in accordance with the agreement.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Corporate)			
Officer:	Karen Dunn	Ext:	8401
Report to:	Cabinet	Date:	20 May 2019

ITEM 15 Scheme of Delegations to Officers

Report of the Head of Legal and Democratic Services

Recommended:

That the Scheme of Delegations to Officers annexed to the report to Annual Council, in so far as it applies to the powers and duties of the Cabinet, be approved.

SUMMARY:

- The purpose of the report is to approve the Council's Scheme of Delegations to Officers.

1 Background

- 1.1 The Scheme of Delegations to Officers is approved each year in accordance with the Constitution by Annual Council, the Cabinet and relevant Committees.
- 1.2 During the course of the year since the last Annual Council, changes have occurred to the Scheme of Delegations to Officers and new delegations to Officers have been made as the need has arisen over time. These changes have been incorporated into the Scheme shown in the Annex to the report to Annual Council.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Corporate)			
Officer:	Karen Dunn	Extension:	8401
Report to:	Cabinet	Date:	20 May 2019

Delegations to Officers

Delegations to Chief Executive, Corporate Directors and Heads of Services

- (1) To deal with 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 Staffing Policies and Procedures documentation.
- (2) 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.
- (3) To authorise staff to attend meetings, seminars and conferences, including those arranged by the relevant professional associations.
- (4) To authorise officers to appear in the Courts.
- (5) To terminate employment in case of ill health/capability, in consultation with the Human Resources Manager.
- (6) To dismiss staff in accordance with the Council's disciplinary procedure.
- (7) In the absence of the Chief Executive, Mrs C Moore, Corporate Director, and in the absence of both the Chief Executive and Mrs C Moore, Mr A Ferrier, 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 be delegated authority to agree the introduction of a charge for a new Council activity, in consultation with the Head of Finance.
- (10) That in the absence of any Head of Service, those matters delegated to that Head of Service be delegated to the Chief Executive or either of the Corporate Directors.
- (11) That Heads 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 Human Resources Manager and the Head of Finance, to make minor changes to the establishment within the approved budget. In the event that either the Human Resources Manager or the Head of Finance is proposing the changes within his/her Service, consultation shall be with the Chief Executive and the Human Resources Manager or the Head of Finance, whichever is not proposing the change.
- (14) 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 Part 3 and Chapter 3 of the Anti-Social Behaviour, Crime and Policing Act 2014:
- | | |
|----------|--|
| 50359085 | Chief Executive |
| 50360579 | Corporate Director |
| 50360580 | Corporate Director |
| 50360846 | Head of Housing and Environmental Health |
- (15) To respond to routine operational consultations.
- (16) In consultation with the relevant Portfolio Holder, to respond to Government consultations.
- (17) To respond to partner consultations where service provision within the Borough may be affected.

Delegation to Authorised Signatories, Contracting Officers and Contract Managers

- (1) Where it is a part of the duties of an officer to exercise the function of an Authorised Signatory, 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 (11) of Delegations to Chief Executive, Corporate Directors, and Heads of Services; and

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.
- (2) To make amendments to the Constitution in accordance with the provisions of Article 14.
- (3) In the absence of the Monitoring Officer, the Legal Services Manager (Corporate) or the Legal Services Manager (Planning) be authorised to exercise the powers and duties of the Monitoring Officer as Deputy Monitoring Officer.

Delegations to Chief Executive

- (1) To inform the Council's Bank of the identity of the Council's S151 Local Government Act 1972 Proper 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, Cabinet or Committee concerned.
- (3) In the event of a major incident, being an event or situation with a range of serious consequences which requires special arrangements to be implemented, to take such action as he considers appropriate to deal with the incident. In the event that the Chief Executive cannot be contacted, Mrs C Moore, Corporate Director, be authorised to take such action as she considers appropriate to deal with the incident. In the event that Mrs C Moore cannot be contacted, Mr A Ferrier be authorised to take such action as he considers appropriate to deal with the incident. In the event that Mr A Ferrier cannot be contacted, any Head of Service be authorised to take such action as he/she considers appropriate to deal with the incident.

Delegation to S151 Local Government Act 1972 Proper Officer

- (1) To issue instructions as to who 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 mandate to the Council's Bank for the signing of cheques by authorised facsimile signatories.
- (4) To sign the mandate 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/her name of all or any of his/her powers referred to herein by such person or persons as he/she considers appropriate.
- (6) In the absence of the S151 Proper Officer, the Acting Head of Revenues (Local Taxation) be authorised to exercise the powers and duties of the S151 Proper Officer.

Delegation to Head of Community and Leisure Services

- (1) Day-to-day control and management of Council leisure facilities and associated activities and events provided by the Council.
- (2) In consultation with the Community and Leisure 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) In consultation with the Community and Leisure Portfolio Holder, to allow concessionary use of the Council's leisure facilities in accordance with the Council's policy for support to elite athletes.
- (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 permit or organise special events on Council land in accordance with the Council's policy.
- (7) To set fees and charges for hiring the showground and sports fields at sports grounds in the ownership or control of the Council.
- (8) To enter into and approve terms of partnership statements in connection with community grants.

- (9) To take all necessary steps to implement projects approved by the Cabinet or Council.
- (10) In consultation with the Community and Leisure Portfolio Holder, to allow fees and charges for events and commercial bookings to be agreed and/or waived (as the market will bear), including Artisan markets, and community events in the High Street and Council venues.
- (11) To make arrangements for the funeral of the deceased 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 approval from the Secretary of State for Justice or their successor.
- (13) As Registrar of Burials for the Andover, Charlton, Romsey and Woodley Cemeteries, to grant applications for the Exclusive Right of Burial to grave spaces, subject to compliance with the Council's regulations.
- (14) Day to day control and management of the cemeteries at Andover, Charlton, Romsey and Woodley in accordance with the Council's Regulations.
- (15) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Community and Leisure Services from time to time, 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:

Environmental Protection Act 1990

Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters, pertaining to litter and dog fouling)

50361554	Head of Community and Leisure Services
50361012	Parks and Countryside Manager
50361015	Senior Countryside Officer
50361016	Countryside Officer
50361014	Green Space Officer
50360954	Sports Recreation Officer

- (16) That the Community Manager (post holder 50462608) be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.

- (17) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Community and Leisure Services from time to time, 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:
- Environmental Protection Act 1990
Refuse Disposal (Amenity) Act 1978 (Sections 2, 2B, 2C, 21A)
Anti-Social Behaviour Act 2003 (Section 43)
Clean Neighbourhoods and Environmental Act 2005 (insofar as they relate to fixed penalty notices and associated matters, pertaining to litter, dog fouling, fly posting and graffiti, and abandoned vehicles)
Anti-Social Behaviour, Crime and Policing Act 2014
- | | |
|----------|---|
| 50360905 | Community Engagement Manager |
| 50360906 | Community Engagement Officer (Community Safety) |
| 50360907 | Community Engagement Officer (Community Safety) |
| 50360910 | Community Engagement Officer (Community Safety) |
- (18) In consultation with the Community and Leisure Portfolio Holder, to give the Council's consent to the Police to enable them to make a Dispersal Order or a Closure Order under the Anti-Social Behaviour, Crime and Policing Act 2014.
- (19) To determine all community grant applications in accordance with the approved criteria.
- (20) In consultation with the Community and Leisure Portfolio Holder, to evaluate and approve grant applications from the Community Asset Fund, in accordance with the approved criteria.
- (21) To request reviews of licences and to make representations to review hearings, pursuant to the Gambling Act 2005 and any subordinate legislation made thereunder and any amendments hereto.

Delegation to Head of Environmental 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 Head of Finance;
 - Between £50,000 and £250,000 in consultation with the Chairman and Vice-Chairman of the Cabinet and the Head of Finance; or
 - Above £250,000 and up to the maximum of £650,000 to be approved by the Cabinet.

Subject in each case to reporting back to Cabinet on successful tenders.

No contract shall have a term exceeding 5 years.

- (2) To serve notices in relation to contraventions of the legislation set out below and any regulations made thereunder and any amendments thereto:
- Anti-Social Behaviour Act 2003 Part 6 as amended by Clean Neighbourhoods and Environment Act 2005
 - Anti-Social Behaviour, Crime and Policing Act 2014
 - Clean Neighbourhoods and Environment Act 2005
 - Control of Pollution Act 1974 and Control of Pollution (Amendment) Act 1989
 - Environment Act 1995
 - Parts II, III & IV and related schedules Environmental Protection Act 1990
 - Environmental Protection Act 1990
 - Licensing Act 2003
 - Refuse Disposal (Amenity) Act 1978
 - Regulation of Investigatory Powers Act 2000
 - RIDDOR 2000
 - Waste (England and Wales) Regulations 2011
- (3) To prepare reports for legal proceedings in the event of contravention of the legislation and any regulations made thereunder and any amendments thereto set out in (2) above and to issue instructions to the Council's Head of Legal and Democratic Services to take legal proceedings.
- (4) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Environmental Services from time to time, 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.

50360628

Street Scene Manager

50360599

Waste and Recycling Manager

Limited powers Anti-Social Behaviour Act 2003 Part 6
Anti-Social Behaviour, Crime and Policing Act 2014
Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
Control of Pollution Act 1974 and Control of Pollution (Amendment) Act 1989
Environment Act 1995
Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
Licensing Act 2003
All powers under the Refuse Disposal (Amenity) Act 1978

Regulation of Investigatory Powers Act 2000
RIDDOR 2000
Waste (England and Wales) Regulations 2011

50360708 Senior Environmental Services Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6
Anti-Social Behaviour, Crime and Policing Act 2014
Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
Limited powers Control of Pollution (Amendment) Act 1989
Environment Act 1995
Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
Licensing Act 2003
All powers under the Refuse Disposal (Amenity) Act 1978
Regulation of Investigatory Powers Act 2000
Waste (England and Wales) Regulations 2011

50360629 Recycling Development Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6
Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
Limited powers Control of Pollution (Amendment) Act 1989
Environment Act 1995
Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
All powers relating to abandoned vehicles under the Refuse Disposal (Amenity) Act 1978

50360630 Waste and Recycling Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6
Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)
Environment Act 1995
Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV
All powers relating to abandoned vehicles under the Refuse Disposal (Amenity) Act 1978

50360718 Environmental Services Officer

50360719 Environmental Services Officer

Limited powers Anti-Social Behaviour Act 2003 Part 6
Anti-Social Behaviour, Crime and Policing Act 2014

Clean Neighbourhoods and Environment Act 2005 (insofar as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter, dog fouling and fly tipping)

Limited powers Control of Pollution (Amendment) Act 1989

Environment Act 1995

Environmental Protection Act 1990 - All powers in relation to Part II, powers relating to Statutory Nuisance in Part III, and all powers in relation Part IV

All powers under the Refuse Disposal (Amenity) Act 1978

Regulation of Investigatory Powers Act 2000

Waste (England and Wales) Regulations 2011

- (5) To issue filled sand bags free of charge to households and commercial properties if in the Council's view they are at significant risk of flooding.

Delegation to Head of Estates and Economic Development

- (1) To enter into licences for the assignment of leases and for sub-letting or under letting.*
- (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) In consultation with the Head of Finance, to authorise the lettings of Council property where the rent does not exceed £150,000 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 £50,000.00 per annum or a premium payment of £150,000.00 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 substation 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 grant suitable short term licences and Farm Business Tenancies.
- (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.*
- (17) To let market pitches (save those administered by the Head of Community and Leisure) in accordance with the Council's policy, and the administration of markets, including the application process, setting of fees and granting of concessions, and the termination and determination of the conditions to be attached to lettings.
- (18) To serve Notice to Quit on market stallholders if they are not conforming with the terms of their Agreement.
- (19) To be the Authorised Market Officer for the purposes of the Food and Environment Act 1985 and any statutory enactment and to be responsible for all aspects of administering markets in Andover.
- (20) In consultation with the Finance Portfolio Holder and the Head of Finance, to dispose of land where the consideration is £75,000.00 or less.*

- (21) In consultation with Economic Development and Tourism Portfolio Holder and the Head of Finance, to have authority to issue Business Incentive Grants of £500 each to qualifying persons.
- (22) In consultation with the Finance Portfolio Holder and the Head of Finance, to authorise the acquisition or taking the letting of land and/or premises subject to the purchase price or annual rent per annum not exceeding £75,000.00.
- (23) To grant licences for temporary/short-term works on Council-owned land.*

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

- (24) In consultation with the Head of Finance, to approve 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) In consultation with the Head of Legal and Democratic Services, to approve 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 Regulations 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 consultation with the Head of Planning and Building Services, to give consent to advertise on Council-owned property on such terms as he/she considers appropriate provided there is no cost to the Council and that the Head of Planning and Building Services be consulted before any advertisement is displayed by the Council.
- (29) In consultation with the Head of Community and Leisure Services, to issue licences for temporary buildings.
- (30) To permit the display of banners on Council buildings.
- (31) To let the Crosfield Hall, Romsey; Rendezvous, Andover; Upper Guildhall, Andover; and meeting rooms at Beech Hurst, Andover in accordance with the Council's booking policy.

- (32) In conjunction with the Human Resources Manager, 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.
- (33) To approve monuments and statues on highway land, after appropriate consultations and subject to the approval of the Highway Authority.
- (34) Day-to-day control and management of Council tourism facilities and associated activities and events provided by the Council.
- (35) To buy electric, gas and water from the most competitive provider for the sites we own and operate.
- (36) In consultation with the Economic Development and Tourism Portfolio Holder, to award grants from the £500,000 Section 106 contribution obtained from the developer of Andover Business Park.
- (37) In consultation with a panel of Members (appointed by Council, consisting of 5 Members, with a quorum of 3 Members for each decision), to consider property investments and authorise expenditure from a pre-approved capital budget allocation.
- (38) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Estates and Economic Development from time to time, 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:
Planning (Listed Building and Conservation Areas) Act 1990
Town and Country Planning Act 1990
50361073 Engineering and Transport Manager
50361127 Senior Transport Engineer
50361129 Transport Engineer
50361130 Transport Engineer
- (39) To implement transport capital programmes.
- (40) General day-to-day operation of the Transport Services.
- (41) To install refuse or storage bins in streets under Section 185 of the Highways Act 1980.
- (42) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (43) 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.

- (44) In consultation with the Head of Legal and Democratic Services, to enter into Agreements under Section 278 of the Highways Act 1980 with the Highway Authority to allow Test Valley Borough Council Capital Programme schemes on the Highway to be constructed.
- (45) To operate the Hampshire County Council/Test Valley Borough Council Agency Agreement for the enforcement of parking control.
- (46) To permit the use of car parks during charging hours for events of a charitable or non-profit making nature subject to consultation with the Finance and Planning Portfolio Holders.
- (47) To permit the use of the car parks outside the charging hours for events of a charitable or non-profit making nature.
- (48) 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/she considers appropriate including the making of an appropriate charge and requiring suitable indemnity.
- (49) To negotiate agreements for advertising on car park tickets, ticket machine shelters and bus shelters on terms and conditions as he/she considers appropriate.
- (50) In consultation with the Head of Community and Leisure Services, to set an appropriate maximum duration of stay for non-permit holders using Leisure Centre Car Parks.
- (51) To authorise persons to act as Civil Enforcement Officers (Parking Attendants) under the Traffic Management Act 2004 and Section 63A of the Road Traffic Regulation Act 1984 and to undertake the functions of a Civil Enforcement Officer (Parking Attendant) under the provisions of those Acts together with the Road Traffic Act 1991 and any other enactment and any subordinate legislation made thereunder and amendments thereto.
- (52) To request information as to the identity of a driver of a vehicle where there is an alleged offence committed in relation to an Off Street Parking Places Order or Traffic Regulation Order pursuant to Section 112 of the Road Traffic Regulation Act 1984.
- (54) To instruct enforcement agents in connection with the recovery of unpaid parking debts.
- (55) To make changes to the Parking Enforcement Policy and Guidance in response to changes in legislation or operational procedures.
- (56) To determine Penalty Charge Notice appeals including appeal decisions, resetting of 14 day discount rates and/or removal of surcharges.
- (57) To determine if a penalty charge or parking permit debt is uncollectible and to write off such debts.

- (58) To discharge the functions given under the Traffic Management, Development Management and Capital Schemes Agency Agreement including the making and confirmation as appropriate of temporary and permanent Traffic Regulation Orders.
- (59) In consultation with the Planning Portfolio Holder, to make amendments to Off Street Parking Places orders by the making of a new order or the suspension of an old order in response to changes in legislation, guidance or operational reason other than changes to parking tariffs and maximum stay limits.
- (60) In consultation with the Planning Portfolio Holder, to consider objections to Traffic Regulation Orders and to decide whether the Order, as advertised or with amendments, be made/confirmed.
- (61) 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.
- (62) To consider and implement the renumbering of houses and the naming and renaming of streets in accordance with the Council's policy.

Delegation to Head of Finance

- (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.
- (3) 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.
- (4) To countersign payments and sign instructions to the Council's Bank.
- (5) 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 relate to the making or authorisation of any payment or other order).
- (6) To exercise borrowing powers contained in the Local Government Finance Act 2003 (as amended) in accordance with the prudential framework for local authority capital investment.

- (7) To enter into leasing arrangements on behalf of the Council for items approved.
- (8) That the Accountancy Manager (post holder 50360822) be authorised to countersign payments and sign instructions to the Council's Bank.
- (9) To take all actions he/she considers appropriate for recovery of Council debts.
- (10) To take all necessary administrative action involving the Council on pension matters.
- (11) To make all payments within the Council's Financial Regulations and/or legally payable.
- (12) To implement decisions regarding pay for staff.
- (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 National Joint Council Scheme.
- (15) To incur expenditure outside the provision of estimates in accordance with Financial Regulations.
- (16) To arrange all insurance policies (including maintaining a self-insurance reserve) and make payments in the settlement of any claim against the Council.
- (17) To update the Use of IT and Social Media Policy as and when required.
- (18) That the Principal Auditor (post holder 50360824) 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 Housing and Environmental Health Services

- (1) In cases of emergency, the Head of Housing and Environmental Health Services 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 and

Environmental Health Services, subject to informing the Housing and Environmental Health Portfolio Holder 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), and in view of likely media interest, to inform the Housing and Environmental Health Portfolio Holder of the decisions that have been taken.
- (5) To determine homeless applications under Part VII of the Housing Act 1996 (as amended).
- (6) To conduct, jointly or severally with the Housing Manager, reviews of adverse decisions relating to registration on the Housing Register.
- (7) To determine any matter relating to:
 - (a) transfer of accommodation;
 - (b) nominations to Registered Providers of Social Housing;
 - (c) allocation of temporary accommodation for homeless applicants;
 - (d) payment of removal expenses in appropriate cases; or
 - (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) To consult with tenants under the Housing Act 1985.
- (11) To agree transfers of tenants on management grounds as proposed by Registered Providers of Social Housing.
- (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.

- (15) In consultation with the Head of Legal and Democratic 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.
- (16) 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 Cabinet.
- (17) That the Environmental Health Manager (post holder 50360920) be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.
- (18) That the Housing Manager (post holder 50360864) be authorised to conduct homelessness reviews under Section 202 of the Housing Act 1996 (as amended).
- (19) That the Housing Development Manager (post holder 50360894) be authorised to agree the payment of additional grants above the £15,000.00 maximum for Discretionary Renovation Grants (DRGs) in appropriate circumstances, in consultation with the Housing and Environmental Health Portfolio Holder.
- (20) To approve grant funding in accordance with the Affordable Housing Grants Policy.
- (21) That the Environmental Health Manager (post holder 50360920) shall be authorised to advise upon compliance with the legislation set out in (k) below, and regulations and other subordinate legislation made thereunder and any amendments thereto, to formally notify contraventions of the legislation etc. as necessary, and to exercise all powers provided under such legislation, including issuing and serving Notices relating to contraventions of the legislation etc. or Notices seeking information relating to such contraventions and to carry out the activities in (a) to (k) below.
 - (a) To make charges, agree contracts, make expenditure, authorise work in default, and allocate grant aid as permitted within approved budgets and environmental health legislation.
 - (b) To respond to consultations relating to technical and legal matters which are delegated.
 - (c) To promote and publicise compliance with legislation, good health and good environmental practice.
 - (d) To provide services relating to Environmental Health matters, as permitted under the relevant legislation set out in (k) below.

- (e) 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.
- (f) 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.
- (g) To make, refuse, or vary such registrations as are applied for, or requested, under the legislation set out in (k) below and to maintain appropriate registers.
- (h) To grant, refuse, or vary permits and licences as are applied for under the legislation set out in (k) below.
- (i) In consultation with the Housing and Environmental Health Portfolio Holder, to agree the payment of additional grant above the £15,000.00 maximum for Discretionary Renovation Grants (DRGs) in appropriate circumstances.
- (j) To prepare reports for legal proceedings in the event of contravention of legislation set out in (k) below and in the event of contraventions of the Health & Safety at Work etc. Act 1974, subordinate legislation made thereunder or any amendments thereto, to issue instructions to the Council's Solicitors to take legal proceedings.
- (k) That the holders of the posts below be authorised to enter land or premises, to exercise all available powers of investigation and inspection, to carry out any act included in, to advise upon compliance with, and to formally notify contraventions of the legislation and subordinate legislation made there under and any amendments thereto, as set out below.

**50360919 Principal Environmental Health Officer
(Health Protection)**

**50360918 Principal Environmental Health Officer
(Environmental Protection)**

**50360922 (Senior) Environmental Health Officer
(Environmental Protection)**

**50360923 (Senior) Environmental Health Officer
(Environmental Protection)**

50360927 Environmental Health Officer (Health Protection)

**50360930 (Senior) Environmental Health Officer
(Health Protection)**

**50360931 (Senior) Environmental Health Officer
(Health Protection)**

Animal Boarding Establishments Act 1963

Animal By-Products (Enforcement) (England) Regulations 2013

Animal Health Act 1981
Animal Welfare Act 2006
Anti-Social Behaviour Act 2003 Part 6 as amended by the Clean Neighbourhoods and Environment Act 2005
Anti-Social Behaviour, Crime and Policing Act 2014
Asbestos at Work Regulations 1994
Asbestos Regulations 1983
Breeding and Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973 and 1991
Building Act 1984
Caravan Sites and Control of Development Act 1960
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Contaminants in Food (England) Regulations 2013
Control of Asbestos Regulations 2012
Control of Pollution Act 1974
Crime and Disorder Act 1998
Criminal Justice and Public Order Act 1994
Dangerous Dogs Act 1991
Dangerous Wild Animals Act 1976
Environment Act 1995
Environmental Protection Act 1990
Environmental Permitting (England and Wales) Regulations 2016 (as amended)
European Communities Act 1972
Factories Act 1961
Food and Environmental Protection Act 1988
Food Information Regulations 2014
Food Safety Act 1990 (as amended) and any Orders or Regulations or other statutory instruments made thereunder, or relating thereto, or having effect by virtue of the European Communities Act 1972 and relating to food safety, and any modification or re-enactment of such provisions, including: Regulation (EC) 852/2004, 853/2004, 854/2004, 882/2004 and 178/2002
Food Safety and Hygiene (England) Regulations 2013
General Food Regulations 2004
Hampshire Act 1983
Health Act 2006 Part 1 Chapter 1
Health and Safety (Enforcing Authority) Regulations 1998
Health Protection (Local Authority Powers) Regulations 2010
Health Protection (Part 2A Orders) Regulations 2010
Home Energy Conservation Act 1995
Housing Acts 1957 to 2004
Housing Grants, Construction and Regeneration Act 1996 as amended by the Local Democracy, Economic Development and Construction Act 2009
Imported Food Regulations 1997
Licensing Act 2003
Litter Act 1993

Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Meat (Enhanced Enforcement Powers) (England) Regulations
2000
National Assistance Act 1948
Natural Mineral Water, Spring Water & Bottled Drinking Water
Regulations 2007 (as amended)
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Offices, Shops and Railway Premises Act 1963
Official Controls (Animal, Feed and Food) (England) Regulations
2006
Official Feed and Food Controls (England) Regulations 2009
Open Spaces Act 1906
Pet Animals Act 1951
Police and Criminal Evidence Act 1984
Pollution Prevention and Control Act 1999
Prevention of Damage by Pests Act 1949
Private Water Supplies (England) Regulations 2016 (as amended)
Public Health Acts 1875, 1936 to 1961
Public Health (Control of Disease) Act 1984
Quick Frozen Foodstuffs Regulations 1990
Redress Schemes for Letting Agency Work and Property
Management work (Requirements to Belong to a Scheme etc.)
(England) Order 2014
Refuse Disposal (Amenity) Act 1978
Regulation of Investigatory Powers Act 2000
Riding Establishments Act 1964 and 1970
Shops Act 1950
Smoke and Carbon Monoxide Alarm (England) Regulations 2015
Sunbeds (Regulation) Act 2010
Sunday Trading Act 1994
Trade in Animals and Related Products Regulations 2011
Transmissible Spongiform Encephalopathies (England)
Regulations 2010
Water Industry Act 1991
Zoo Licensing Act 1981

50360894 Housing Development Manager

50360868 Principal Environmental Health Officer (Housing)

Anti-social Behaviour Act 2003 Part 6 as amended by the Clean
Neighbourhoods and Environment Act 2005
Building Act 1984
Caravan Sites and Control of Development Act 1960
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Control of Pollution Act 1974
Crime and Disorder Act 1998
Criminal Justice and Public Order Act 1994

Energy Efficiency (Private Rented Sector) (England and Wales) Regulations 2015 (as amended)
Environment Act 1995
Environmental Protection Act 1990
European Communities Act 1972
Hampshire Act 1983
Health Act 2006 Part 1 Chapter 1
Home Energy Conservation Act 1995
Housing Acts 1957 to 2004
Housing and Planning Act 2016
Housing Grants, Construction and Regeneration Act 1996
Litter Act 1993
Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Mobile Homes Act 2013
National Assistance Act 1948
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Open Spaces Act 1906
Police and Criminal Evidence Act 1984
Prevention of Damage by Pests Act 1949
Protection from Eviction Act 1977
Public Health Acts 1875, 1936 to 1961
Public Health (Control of Disease) Act 1984
Redress Schemes for Letting Agency Work and Property Management work (Requirements to Belong to a Scheme etc.) (England) Order 2014
Refuse Disposal (Amenity) Act 1978
Regulation of Investigatory Powers Act 2000
Smoke and Carbon Monoxide Alarm (England) Regulations 2015
Water Industry Act 1991

50360928 (Senior) Health Protection Officer

Animal Boarding Establishments Act 1963
Animal By-Products (Enforcement) (England) Regulations 2013
Animal Health Act 1981
Animal Welfare Act 2006
Asbestos at Work Regulations 1994
Asbestos Regulations 1983
Breeding and Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973 and 1991
Clean Neighbourhoods and Environment Act 2005
Contaminants in Food (England) Regulations 2013
Control of Asbestos Regulations 2012
Dangerous Dogs Act 1991
Dangerous Wild Animals Act 1975
Environmental Protection Act 1990
European Communities Act 1972
Factories Act 1961
Food and Environmental Protection Act 1988

Food Safety Act 1990 and any Orders or Regulations or other statutory instruments made thereunder, or relating thereto, or having effect by virtue of the European Communities Act 1972 and relating to food safety, and any modification or re-enactment of such provisions, including:

Regulation (EC) 852/2004, 853/2004, 854/2004, 882/2004 and 178/2002

Food Safety and Hygiene (England) Regulations 2013

General Food Regulations 2004

Hampshire Act 1983

Health Act 2006 Part 1 Chapter 1

Health and Safety (Enforcing Authority) Regulations 1998

Licensing Act 2003

Local Government (Misc. Provisions) Acts 1976 and 1982

Meat (Enhanced Enforcement Powers)(England) Regulations 2000

Microchipping of Dogs (England) Regulations 2015

Natural Mineral Water, Spring Water & Bottled Drinking Water Regulations 2007 (as amended)

Noise and Statutory Nuisance Act 1993

Offices, Shops and Railway Premises Act 1963

Official Controls (Animals, Feed and Food)(England) Regulations 2006

Official Feed and Food Control (England) Regulations 2009

Pet Animals Act 1951

Prevention of Damage by Pests Act 1949

Public Health (Control of Disease) Act 1984

Quick Frozen Foodstuffs Regulations 1990

Riding Establishments Act 1964 and 1970

Shops Act 1950

Sunbeds (Regulation) Act 2010

Sunday Trading Act 1994

Trade in Animals and Related Products Regulations 2011

Transmissible Spongiform Encephalopathies (England) Regulations 2010

Water Industry Act 1991

Zoo Licensing Act 1981

50360869 Senior Private Sector Housing Officer

50360870 Senior Private Sector Housing Officer

50360871 Senior Private Sector Housing Officer

Building Act 1984

Caravan Sites and Control of Development Act 1960

Clean Neighbourhoods and Environment Act 2005

Energy Efficiency (Private Rented Sector) (England and Wales) Regulations 2015 (as amended)

Environmental Protection Act 1990 - all powers under Section 79 (1) a and h Housing Acts 1957 to 2004

Housing and Planning Act 2016

Housing Grants, Construction and Regeneration Act 1996

Licensing Act 2003

Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Mobile Homes Act 2013
Protection from Eviction Act 1977
Redress Schemes for Letting Agency Work and Property
Management work (Requirements to Belong to a Scheme etc.)
(England) Order 2014
RIDDOR 2000
Smoke and Carbon Monoxide Alarm (England) Regulations 2015

50360925 Environmental Protection Officer

Anti-social Behaviour Act 2003 Part 6 as amended by the Clean
Neighbourhoods and Environment Act 2005
Anti-Social Behaviour, Crime and Policing Act 2014
Building Act 1984
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Control of Pollution Act 1974
Crime and Disorder Act 1998
Environment Act 1995
Environmental Protection Act 1990
Environmental Permitting (England and Wales) Regulations 2016
(as amended)
Health Act 2006 Part 1 Chapter 1
Licensing Act 2003
Local Government (Misc. provisions) Acts 1976-1982
National Assistance Act 1943
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Pollution Prevention and Control Act 1999
Prevention of Damage by Pests Act 1949
Private Water Supplies (England) Regulations 2016 (as amended)
Public Health Acts 1875, 1936 to 1961
Water Industry Act 1991

50360924 Scientific Officer

Building Act 1984
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Control of Pollution Act 1974
Environment Act 1995
Environmental Permitting (England and Wales) Regulations 2016
(as amended)
Environmental Protection Act 1990
Licensing Act 2003
Local Government (Misc. provisions) Acts 1976 and 1982
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Prevention of Damage by Pests Act 1949
Private Water Supplies (England) Regulations 2016 (as amended)

Public Health Acts 1875, 1936 to 1961
Water Industry Act 1991

50360921 Animal Welfare Officer

Animal Boarding Establishments Act 1963
Animal Health Act 1981
Animal Welfare Act 2006
Anti-Social Behaviour, Crime and Policing Act 2014
Breeding and Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973 and 1991
Clean Neighbourhoods and Environment Act 2005
Dangerous Dogs Act 1991
Dangerous Wild Animals Act 1976
Environmental Protection Act 1990
Local Government (Misc. Provisions) Acts 1976 and 1982
Microchipping of Dogs (England) Regulations 2015
Noise and Statutory Nuisance Act 1993
Pet Animals Act 1951
Riding Establishments Act 1964 and 1970
Zoo Licensing Act 1981

- (l) That the holders of the posts below be authorised to enter land or premises and to carry out any act included in the Prevention of Damage by Pests Act 1949:
- 50360854 Area Pest Control Officer
50360855 Area Pest Control Officer
- (m) That the holders of the posts below may issue and serve Notices in respect of the legislation set out below.

**50360919 Principal Environmental Health Officer
(Health Protection)**

**50360918 Principal Environmental Health Officer
(Environmental Protection)**

Animal Boarding Establishments Act 1963
Animal By-Products (Enforcement) (England) Regulations 2013
Animal Health Act 1981
Animal Welfare Act 2006
Anti-Social Behaviour Act 2003 Part 6 as amended by the Clean Neighbourhoods and Environment Act 2005
Anti-Social Behaviour, Crime and Policing Act 2014
Asbestos at Work Regulations 1994
Asbestos Regulations 1983
Breeding and Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973 and 1991
Building Act 1984
Caravan Sites and Control of Development Act 1960
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Contaminants in Food (England) Regulations 2013

Control of Asbestos Regulations 2012
Control of Pollution Act 1974
Crime and Disorder Act 1998
Criminal Justice and Public Order Act 1994
Dangerous Dogs Act 1991
Dangerous Wild Animals Act 1976
Environment Act 1995
Environmental Protection Act 1990
Environmental Permitting (England and Wales) Regulations 2016
(as amended)
European Communities Act 1972
Factories Act 1961
Food and Environmental Protection Act 1988
Food Information Regulations 2014
Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food
Hygiene (England) Regulations 2006
Food Safety Act 1990 (as amended) and any Orders or
Regulations or other statutory instruments made thereunder, or
relating thereto, or having effect by virtue of the European
Communities Act 1972 and relating to food safety, and any
modification or re-enactment of such provisions, including:
Regulation (EC) 852/2004, 853/2004, 854/2004, 882/2004 and
178/2002
Food Safety and Hygiene (England) Regulations 2013
General Food Regulations 2004
Hampshire Act 1983
Health Act 2006 Part 1 Chapter 1
Health and Safety Enforcement (Enforcing Authority) Regulations
1998
Health Protection (Local Authority Powers) Regulations 2010
Health Protection (Part 2A Orders) Regulations 2010
Home Energy Conservation Act 1995
Housing Acts 1957 to 2004
Housing Grants, Construction and Regeneration Act 1996 as
amended by the Local Democracy, Economic Development and
Construction Act 2009
Imported Food Regulations 1997
Licensing Act 2003
Litter Act 1993
Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Meat (Enhanced Enforcement Powers) (England) Regulations
2000
National Assistance Act 1948
Natural Mineral Water, Spring Water & Bottled Drinking Water
Regulations 2007 (as amended)
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Offices, Shops and Railway Premises Act 1963

Official Feed and Food Controls (England) Regulations 2007 (as amended)
Official Controls (Animal, Feed and Food) (England) Regulations 2006
Official Feed and Food Controls (England) Regulations 2009
Open Spaces Act 1906
Pet Animals Act 1951
Police and Criminal Evidence Act 1984
Pollution Prevention and Control Act 1999
Prevention of Damage by Pests Act 1949
Private Water Supplies (England) Regulations 2016 (as amended)
Public Health Acts 1875, 1936 to 1961
Public Health (Control of Disease) Act 1984
Quick Frozen Foodstuffs Regulations 1990
Redress Schemes for Letting Agency Work and Property Management work (Requirements to Belong to a Scheme etc.) (England) Order 2014
Refuse Disposal (Amenity) Act 1978
Regulation of Investigatory Powers Act 2000
Riding Establishments Act 1964 and 1970
Shops Act 1950
Smoke and Carbon Monoxide Alarm (England) Regulations 2015
Sunbeds (Regulation) Act 2010
Sunday Trading Act 1994
Trade in Animals and Related Products Regulations 2011
Transmissible Spongiform Encephalopathies (England) Regulations 2010
Water Industry Act 1991
Zoo Licensing Act 1981

50360894 Housing Development Manager

50360868 Principal Environmental Health Officer (Housing)

Anti-social Behaviour Act 2003 Part 6 as amended by the Clean Neighbourhoods and Environment Act 2005
Building Act 1984
Caravan Sites and Control of Development Act 1960
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Control of Pollution Act 1974
Crime and Disorder Act 1998
Criminal Justice and Public Order Act 1994
Energy Efficiency (Private Rented Sector) (England and Wales) Regulations 2015 (as amended)
Environment Act 1995
Environmental Protection Act 1990
European Communities Act 1972
Hampshire Act 1983
Health Act 2006 Part 1 Chapter 1
Home Energy Conservation Act 1995
Housing Acts 1957 to 2004

Housing and Planning Act 2016
Housing Grants, Construction and Regeneration Act 1996
Litter Act 1993
Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Mobile Homes Act 2013
National Assistance Act 1948
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Open Spaces Act 1906
Police and Criminal Evidence Act 1984
Prevention of Damage by Pests Act 1949
Protection from Eviction Act 1977
Public Health Acts 1875, 1936 to 1961
Public Health (Control of Disease) Act 1984
Redress Schemes for Letting Agency Work and Property
Management work (Requirements to Belong to a Scheme etc.)
(England) Order 2014
Refuse Disposal (Amenity) Act 1978
Regulation of Investigatory Powers Act 2000
Smoke and Carbon Monoxide Alarm (England) Regulations 2015
Water Industry Act 1991

**50360922 (Senior) Environmental Health Officer
(Environmental Protection)**
**50360923 (Senior) Environmental Health Officer
(Environmental Protection)**
50360927 Environmental Health Officer (Health Protection)
**50360930 (Senior) Environmental Health Officer (Health
Protection)**
**50360931 (Senior) Environmental Health Officer (Health
Protection)**
50360928 Senior Health Protection Officer

Animal By-Products (Enforcement)(England) Regulations 2013
Contaminants in Food (England) Regulations 2013
Food Safety Act 1990 (as amended) and any Orders or
Regulations or other statutory instruments made thereunder, or
relating thereto, or having effect by virtue of the European
Communities Act 1972 and relating to food safety, and any
modification or re-enactment of such provisions, including:
Regulation (EC) 852/2004, 853/2004, 854/2004, 882/2004 and
178/2002
Food Information Regulations 2014
Food Safety and Hygiene (England) Regulations 2013
General Food Regulations 2004
Meat (Enhanced Enforcement Powers) (England) Regulations
2000
Natural Mineral Water, Spring Water & Bottled Drinking Water
Regulations 2007 (as amended)

Official Controls (Animals, Feed and Food)(England) Regulations 2006

Official Feed and Food Controls (England) Regulations 2009

Quick-frozen Foodstuffs Regulations 1990

Trade in Animals and Related Products Regulations 2011

Transmissible Spongiform Encephalopathies (England) Regulations 2010

50360922 (Senior) Environmental Health Officer (Environmental Protection)

50360923 (Senior) Environmental Health Officer (Environmental Protection)

50360927 Environmental Health Officer (Health Protection)

50360930 (Senior) Environmental Health Officer (Health Protection)

50360931 (Senior) Environmental Health Officer (Health Protection)

50360925 Environmental Protection Officer

50360924 Scientific Officer

Control of Pollution Act 1974 - Section 60 only

Environmental Protection Act 1990 – Part 3 only

Clean Neighbourhoods and Environment Act 2005 – Sections 77-79 only

Public Health Act 1936 - Section 50 only

- (22) That the following post holders, who are qualified in accordance with the legislation, be appointed as Health and Safety Inspectors under Section 19 of the Health and Safety at Work etc. Act 1974 and any other relevant statutory provisions.

50360920 Environmental Health Manager

50360918 Principal Environmental Health Officer (Environmental Protection)

50360919 Principal Environmental Health Officer (Health Protection)

50360927 Environmental Health Officer (Health Protection)

50360930 (Senior) Environmental Health Officer (Health Protection)

50360931 (Senior) Environmental Health Officer (Health Protection)

50360922 (Senior) Environmental Health Officer (Environmental Protection)

50360923 (Senior) Environmental Health Officer (Environmental Protection)

50360928 (Senior) Health Protection Officer (Health Protection)

And that they be authorised to advise upon compliance with the legislation set out in the Health and Safety at Work etc. Act 1974 and subordinate legislation made there under and any amendments thereto, to formally notify contraventions of the legislation etc. as necessary, and to issue and serve Notices relating to contraventions of the legislation etc. or Notices seeking information relating to such contraventions, to bring

proceedings [or lay information] in accordance with Section 38 of the Health and Safety at Work etc. Act 1974 and to exercise all available powers, including those listed in (a) to (e) below.

- (a) To carry out inspections, investigations and interviews as permitted under the relevant legislation.
 - (b) To exercise the rights of entry permitted under the relevant legislation.
 - (c) To undertake sampling, detection and seizure of goods and materials as permitted under the relevant legislation.
 - (d) To inspect and obtain records as appropriate under the relevant legislation.
 - (e) To make such records, sketches, and to take such photographs as are permitted under the legislation.
- (23) That the holders of the following posts who are qualified in accordance with the legislation be appointed as inspectors under the Animal Welfare Act 2006 and any other relevant statutory provisions.
- 50360920 Environmental Health Manager
 - 50360918 Principal Environmental Health Officer (Environmental Protection)
 - 50360919 Principal Environmental Health Officer (Health Protection)
 - 50360921 Animal Welfare Officer
 - 50360922 (Senior) Environmental Health Officer (Environmental Protection)
 - 50360923 (Senior) Environmental Health Officer (Environmental Protection)
 - 50360927 Environmental Health Officer (Health Protection)
 - 50360928 (Senior) Health Protection Officer
 - 50360930 (Senior) Environmental Health Officer (Health Protection)
 - 50360931 (Senior) Environmental Health Officer (Health Protection)
- (24) That the Environmental Health Manager (post holder 50360920) be authorised to request reviews of licences and certificates and to make representations to review hearings, pursuant to the Licensing Act 2003 and any subordinate legislation made thereunder and any amendments thereto.
- (25) That the Principal Environmental Health Officer (Health Protection) (post holder 50360919) be appointed as lead officer under and in accordance with the Food Law Code of Practice (England) 2017 and any amendment thereto.

(26) To grant and vary licences under the Caravan Sites and Control of Development Act 1960 including appropriate licence conditions, and to authorise the necessary enforcement action under the Mobile Homes Act 2013.

(27) That the holders of the following posts be nominated as appointed officers in respect of the statutory provisions set out below.

50360920 Environmental Health Manager

50360918 Principal Environmental Health Officer (Environmental Protection)

50360921 Animal Welfare Officer

50360928 Senior Health Protection Officer

Section 149(1) of the Environmental Protection Act 1990

Regulation 11(2) of the Microchipping of Dogs (England) Regulations 2015.

(28) That the Head of Housing and Environmental Health (where required, in consultation with the Portfolio Holder for Housing and Environmental Health) be authorised to approve requests for Designated Protection Area waivers in the circumstances set out in the table below:

Delegation Framework for formal support for DPA Waiver			
Type of Scheme	Decision	Reason	Delegated to
HARAH and Rural Exception Sites	Refuse	COM8 seeks affordable homes in perpetuity.	Head of Housing and Environmental Health
COM 9 sites (Community Led Development)	Refuse save in exceptional circumstances where it can be agreed SUBJECT TO inclusion of rural buy back clause upon stair-casing to 100% to the Council or its nominated provider.	COM9 seeks affordable homes in perpetuity but consideration to be given to availability of mortgage funding and viability of scheme	Head of Housing and Environmental Health in consultation with Portfolio Holder and Parish Council
MDA sites and Planned Urban Extension (e.g. Picket Twenty, Smannell) [previously designated as rural and included in DPA but now classed as urban where these restrictions would not apply]	Agreed	Planned urban extension – proposed development indicates shared ownership could be re-provided.	Head of Housing and Environmental Health
Permitted development sites in Rural Villages	Review on a site by site basis	COM7 – no requirement for perpetuity but consideration to be given to availability of further affordable homes, availability of mortgage funding and viability of scheme.	Head of Housing and Environmental Health in consultation with Portfolio Holder and Parish Council
Resale of existing restricted shared ownership home	Review on case by case basis	Ability of shared owners to sell the property at the restricted percentage and availability of mortgage funding	Head of Housing and Environmental Health in consultation with the Portfolio Holder and Parish Council
Any other requests for exemptions other than above	Review on a site by site basis	Consideration to be given for the reason for the request, availability of future affordable homes, mortgage funding and viability of scheme	Head of Housing and Environmental Health in consultation with Portfolio Holder and Parish Council

Delegation to Head of Legal and Democratic Services

Legal and Other Proceedings

- (1) The institution, prosecution, amendment or termination of any proceedings, which the Council is empowered to undertake, in or before any 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.

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/she deems it necessary to secure information about land to enable the Council to exercise its functions.

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 arrange for its sale and the recovery of all monies owed to the Council.
- (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 sign releases of mortgages granted by the Council provided such repayment has been made.
- (4) 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.
- (5) 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.

- (6) 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 Council 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.
- (7) 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 Community and Leisure Services and to the landscaping, open space or recreational facilities being completed to the satisfaction of the Head of Community and Leisure Services.
- (8) To enter into agreements in respect of applications to retain and maintain trees, shrubs, plants or grass in part of a highway verge.
- (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 Control Committee, to lodge an objection or representation as to the imposition of conditions on an application for an Operator's 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 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.
- (14) To authorise the postponement of a legal charge created pursuant to the Private Sector Housing Renewal Policy.
- (15) 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.
- (16) To update the Data Protection Policy (DPP) as and when required.

- (17) To make minor amendments to the Corporate Surveillance Policy where they relate to changes in the legislation, directions or recommendations from an inspector appointed by the Office of the Surveillance Commissioner, or guidance from the Home Office.
- (18) To authorise Authorising Officers pursuant to the Corporate Surveillance Policy.
- (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 authorise reimbursement of the cost of accommodation booked directly by Members in excess of the approved allowance in exceptional circumstances pursuant to the Members' Allowance Scheme.
- (21) To approve payments to co-opted Members pursuant to the Members' Allowance Scheme.
- (22) In consultation with the Chairman of General Purposes Committee, to grant dispensations to Members of Test Valley Borough Council in respect of Personal Interests in accordance with General Purposes Committee 6 January 2014 Minute 221 and to report such dispensations to the next meeting of the General Purposes Committee.
- (23) The holders of the following posts be authorised to grant dispensations to Members of Test Valley Borough Council pursuant to section 33(2)(a), (b) and (d) of the Localism Act 2011.

50361323 Head of Legal and Democratic Services
50361465 Legal Services Manager (Corporate)
50361468 Legal Services Manager (Planning)
50361467 Principal Solicitor
- (24) To convene meetings of working parties, panels and other meetings in which members are involved.
- (25) Following consultation with the Leader, to approve the attendance of Members at conferences and meetings including the payment of travelling and subsistence allowances.
- (26) In consultation with the Corporate Portfolio Holder, to appoint individuals to parish, town and community councils should circumstances mean that they are no longer quorate.
- (27) To amend the Licensing Committee and Sub-Committee Procedure Rules to give effect to legislative changes.

- (28) 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.
- (29) 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.
- (30) To reject representations under the Licensing Act 2003 or Gambling Act 2005 which he/she considers to be vexatious, frivolous or repetitious.
- (31) 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/her discretion to refer a film to a Licensing Sub-Committee for determination of the appropriate recommendation.
- (32) To serve Closure Notices under Section 19 of the Criminal Justice and Police Act 2001 in respect of premises used for the unlicensed sale of alcohol and to take action for the enforcement, cancellation and termination of such notices pursuant to Sections 19-28 of that Act.
- (33) 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.
- (34) 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.
- (35) To determine applications for Licensed Premises Gaming Machine Permits; Club Gaming Permits, Club Machine Permits, Prize Gaming Permits, and Small Lottery Registrations.
- (36) To cancel or vary Licensed Premises Gaming Machine Permits.
- (37) To revoke a Small Lottery Registration.
- (38) To remove automatic entitlement to gaming and/or to two gaming machines on alcohol licensed premises.
- (39) To administer the Hypnotism Act 1952 including the institution of proceedings for breaches of the Act and Section 12 of the Local Government (Miscellaneous Provisions) Act 1982.

- (40) To issue licences under Section 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.
- (41) To allocate street collections.
- (42) To determine applications for sex establishment licences save for where objections to the grant, transfer or renewal of a licence have been received.
- (43) 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.
- (44) 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 Cabinet.
- (45) In consultation with the Corporate Portfolio Holder, to approve increases in Hackney Carriage fares.
- (46) 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.
- (47) To depart from Standard Private Hire Vehicle Licence Conditions regarding vehicle signage upon grant or renewal of a licence in any individual case where he/she considers it appropriate to do so.
- (48) To determine all applications and decide all other matters in relation to the licensing functions set out in the Scrap Metal Dealers Act 2013 and any amending legislation, save for the hearing of representations in cases involving the refusal, revocation or variation of a licence.
- (49) 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:
 - Gambling Act 2005
 - Health Act 2006 Part 1 Chapter 1 (insofar as they relate to fixed penalty notices and associated matters pertaining to the smoke free requirements)
 - House to House Collections Act 1939
 - Hypnotism Act 1952
 - Licensing Act 2003
 - Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Police, Factories Etc. (Miscellaneous Provisions) Act 1916
Public Health Acts 1875 and 1936
Scrap Metal Dealers Act 2013
Town Police Clauses Acts 1847 and 1889

50361447 Licensing Manager
50361451 Senior Licensing and Local Land Charges Officer
50361449 Licensing and Local Land Charges Assistant

Delegation to Head of Planning and Building Services

- (1) To make decisions on all applications, notifications, consultations, negotiations, serving of notices, and other activities carried out under Town and Country Planning legislation, which are delegated to Head of Planning and Building Services, except as follows:-
 - (a) Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
 - (b) Applications (excluding notifications) where a Member requests in writing, with reasons and within the stipulated time span, that they be submitted to Committee. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
 - (c) Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest, for its own developments except for the approval of minor developments.
- (2) To determine 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, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 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) To allocate and release Section 106 developer contributions for external projects up to a maximum of £25,000.00 per project, following consultation with the relevant Ward Members, Portfolio Holder and Head of Finance.
- (4) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, 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:

Anti-Social Behaviour Act 2003, Part 8

Environment Act 1995

Forestry Act 1967

Planning (Hazardous Substances) Act 1990

Planning (Listed Building and Conservation Areas) Act 1990

Town and Country Planning Act 1990

50361136	Head of Planning and Building Services
50361139	Development Manager
50361140	Development Manager
50361200	Principal Planning Officer
50361216	Principal Planning Officer
50361212	Senior Planning Officer
50361213	Senior Planning Officer
50361217	Senior Planning Officer
50361218	Senior Planning Officer
50649303	Senior Planning Officer
50649304	Senior Planning Officer
50361330	Senior Planning Officer
50361204	Planning Officer
50361219	Planning Officer
50361220	Planning Officer
50360949	Planning Officer
50361201	Planning Assistant
50361202	Planning Assistant
50361203	Planning Assistant
50361222	Planning Assistant
50361226	Planning Assistant
50361246	Planning Enforcement Manager
50381163	Enforcement Officer
50361248	Enforcement Officer
50361249	Enforcement Officer
50361250	Enforcement Officer
50361063	Team Leader (Trees)
50361064	Arboricultural Officer
50361065	Arboricultural Officer
50361020	Team Leader (Design and Conservation)
50361022	Conservation Officer
50361066	Senior Landscape Architect

50361067 Landscape Officer

- (5) To issue notices pursuant to Sections 171C (Planning Contravention Notices) and 330 (Power to require information as to interests in land) of the Town and Country Planning Act 1990 (as amended).
- (6) That the following post holders, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.

50361139 Development Manager

50361140 Development Manager

- (7) 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 insofar as it relates to graffiti and fly posting.
- (8) To discharge any of the Council's functions pursuant to the Clean Neighbourhoods and Environment Act 2005 Part 2 insofar as it relates to nuisance parking and Part 4 insofar as it relates to graffiti, fly posting and advertisements.
- (9) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, be authorised:
 - (a) To give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto.
 - (b) 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 fly posting)

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 fly posting and advertisements).

50361246 Planning Enforcement Manager

50381163 Enforcement Officer

50361248 Enforcement Officer

50361249 Enforcement Officer

50361250 Enforcement Officer

- (10) To approve with or without conditions, or to reject, plans under Building Regulations.
- (11) To serve notices in respect of demolitions and dangerous structures.
- (12) To determine applications for relaxation of Building Regulations and, subject to being satisfied, to issue approval and report thereon to the next meeting of the relevant Development Control Committee.
- (13) To serve notices under Section 25 of the Land Drainage Act 1991.
- (14) To authorise proceedings under Sections 35 and 35A of the Building Act 1984.
- (15) To serve notices in connection with building works requiring either removal or alteration in accordance with Section 36 of the Building Act 1984.
- (16) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (17) To be designated the "Appointing Officer" in accordance with Section 30 of the Party Wall etc. Act 1996.
- (18) In consultation with the Head of Finance, to set the levels of charges for building regulation applications.
- (19) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, 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 1991 and subordinate legislation made thereunder and any amendments thereto:

50361232 Building Control Manager
50361234 Area Building Control Surveyor
50361235 Area Building Control Surveyor
50361236 Area Building Control Surveyor
50361233 Area Building Control Surveyor
50361237 Area Building Control Surveyor

50361238 Technical Assistant

- (20) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, 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:

Fire Safety and Safety of Places of Sport Act 1987
Hypnotism Act 1952

Licensing Act 2003
Local Government (Miscellaneous Provisions) Acts 1976 and 1982
Town Police Clauses Acts 1847 and 1889

Public Health Acts 1875 and 1936

50361232 Building Control Manager
50361233 Area Building Control Surveyor
50361234 Area Building Control Surveyor
50361235 Area Building Control Surveyor
50361236 Area Building Control Surveyor
50361237 Area Building Control Surveyor
50361238 Technical Assistant

- (21) To adjust and change charges for pre-application advice should the need arise including taking account of any changes in fee regulations or other legislation and the need for charging not to exceed the cost of service provision.
- (22) To issue updates of the Local Information Requirements Descriptions document as and when appropriate.
- (23) To make decisions on:
- (a) The making of provisional tree preservation orders; and to vary, modify or revoke such orders.
 - (b) The confirmation (with or without modifications) of tree preservation orders where no objections have been received or all objections which may have been received have been withdrawn.
 - (c) Decisions on action to be taken following service of notice on the Council under Section 211 of the Town and Country Planning Act 1990.
 - (d) All related applications, notices and matters under the Town and Country Planning Act 1990 as amended and regulations made thereunder.
 - (e) Matters and activities under relevant sections of the Environment Act 1995 and the Forestry Act 1967 and regulations made thereunder.
 - (f) All notifications, consultations, negotiations, serving of Notices, and other activities under the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations made thereunder.
- (24) To determine what action should be taken, if any, in relation to notices received pursuant to Section 23 Local Government (Miscellaneous Provisions) Act 1976 (power of local authorities to deal with dangerous trees) and to instruct the Head of Legal and Democratic Services to take such steps as he/she (Head of Planning and Building Services) considers appropriate in cases where, in the opinion of the Head of Planning and Building Services, significant public benefit furthering the Council's corporate objectives and priorities would result from such steps.

- (25) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Planning and Building from time to time, 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

50361063	Team Leader (Trees)
50361064	Arboricultural Officer
50361065	Arboricultural Officer

- (26) 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.

Delegation to Head of Planning Policy

- (1) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Chief Executive from time to time, 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:

Planning (Listed Building and Conservation Areas) Act 1990
Town and Country Planning Act 1990

50361050	Head of Planning Policy
50361059	Principal Planning Officer (Strategy)
50361056	Principal Planning Officer (Delivery)
50361062	Senior Planning Officer
50361061	Planning Officer
50813751	Planning Officer (Delivery and Neighbourhood Planning)
50895958	Planning Officer (Delivery)

- (2) In consultation with the Economic Development and Tourism Portfolio Holder and Planning Portfolio Holder, to apply for other Community Transport Schemes to be encompassed within the Concessionary Travel Scheme including Dial-a-Ride Service.
- (3) In respect of Neighbourhood Plans (including proposals for such plans):-
- (i) To determine all matters relevant to the publication, designation and amendment of the Neighbourhood Area pursuant to Part 2 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”);

- (ii) In consultation with the Planning Portfolio Holder, to submit the Local Planning Authority's pre-submission consultation response;
 - (iii) Upon receipt of the draft Neighbourhood Plan, to check the submitted Plan meets the legislative requirements, secure the publication of the Neighbourhood Plan proposal;
 - (iv) In consultation with the Planning Portfolio Holder, to submit the Local Planning Authority's submission consultation response ;
 - (v) Appoint a person to carry out an examination of the Neighbourhood Plan and submit the Plan for examination pursuant to the Regulations;
 - (vi) In consultation with the Planning Portfolio Holder, to determine what action to take following receipt of the Examiners Report (including what modifications, if any, are to be made to the Plan and whether to allow the Plan to proceed to a referendum in accordance with the Regulations);
 - (vii) To publish the Examiner's report and the Council's decision statement in accordance with the Regulations;
 - (viii) Where appropriate, to arrange a referendum to consider the Neighbourhood Plan;
 - (ix) If approved by the referendum, to make the Neighbourhood Plan , Issue the decision statement and publicise the Neighbourhood Plan in accordance with the Regulations.
- (4) To monitor and review the Council's commitments under the Climate Local Scheme.

Delegation to Head of Revenues

- (1) To deal with all matters connected with the administration of Council Tax, Business Rates, Housing and Council Tax Benefits, and Council Tax Support excepting such matters as are expressly reserved by legislation for the Council to determine.
- (2) In consultation with the Finance Portfolio Holder, to approve Discretionary Rate Relief.
- (3) To require a Valuation Officer to apportion the value of partly occupied non-domestic hereditaments under Section 44A, Local Government Finance Act 1988.
- (4) To take all actions he/she considers appropriate for recovery of Council debts.
- (5) To impose a civil penalty.
- (6) To reject an individual's appeal against liability and to pass the appeal to the Valuation Tribunal.

- (7) To recover an overpayment of Housing or Council Tax Benefit.
- (8) To back date an application for Housing Benefit or Council Tax Support.
- (9) To grant discretionary housing payments to customers in receipt of Housing Benefit or Universal Credit.
- (10) To grant hardship relief.
- (11) To authorise an Administrative Penalty in cases of an apparent fraudulent claim for Housing and/or Council Tax Benefit.
- (12) To insert advertising materials with Council Tax demands at his/her discretion.
- (13) To grant rate relief in accordance with the policy with a right of appeal to the Cabinet.
- (14) In consultation with the Head of Finance, to set the Council Tax Base for the Test Valley area.
- (15) That the following post holders be authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.

50361324 Acting Head of Revenues (Benefits, CSU)
50681547 Acting Head of Revenues (Local Taxation and Project Enterprise)
- (16) That the following officers be authorised under Section 223 Local Government Act 1972 to appear on behalf of the Authority before a Magistrates Court in connection with Rating and Council Tax matters:

50361531 Local Taxation Manager
50361536 Assistant Local Taxation Manager
50361539 Assistant Local Taxation Manager
- (17) In consultation with the Head of Finance and the Finance Portfolio Holder, to approve the annual National Non Domestic Rates returns to Central Government.
- (18) In consultation with the Head of Finance and the Finance Portfolio Holder, to make routine amendments to the Local Council Tax Support Scheme where necessary in light of legislative change to Council Tax Support, welfare benefits and other related legislation.

ITEM 16 Scrap Metal Dealers Hearing Sub-Committee

Report of the Corporate Portfolio Holder

Recommended:

That the membership of the Scrap Metal Dealers Hearing Sub-Committee consist of three members drawn by the Head of Legal and Democratic Services from the membership of the Cabinet.

SUMMARY:

- To establish a Sub-Committee to deal with hearing representations regarding applications for Scrap Metal Dealers Licences.

1 Background

1.1 At its January 2014 meeting (Minute 238 of 15 January 2014 refers), Cabinet agreed to establish a Scrap Metal Dealers Hearing Sub-Committee. As a result it was also agreed:

- a) That a Committee of the Cabinet be established for the purposes of hearing representations regarding an application for a Scrap Metal Dealers Licence, and that such a Committee consist of three members drawn by the Head of Legal and Democratic Services from the membership of the Cabinet.
- b) That in the event of a member selected becoming unavailable, the Head of Legal and Democratic Services is authorised to select a replacement from the membership of the Cabinet.
- c) That the Committee undertake any hearing in accordance with the Procedure Rules attached as an Annex to the report to the Sub-Committee, subject to the Rules being amended to provide for the appointment of a Chairman by the Committee.

2 Conclusion

2.1 Cabinet is asked to re-confirm the membership of the Scrap Metal Dealers Hearing Sub-Committee on the basis set out above.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Corporate)			
Officer:	Karen Dunn	Extension:	8401
Report to:	Cabinet	Date:	20 May 2019

ITEM 17

Exclusion of the Public

Recommended:

That, pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the consideration of the following item on the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, indicated below. The public interest in maintaining the exemption outweighs the public interest in disclosing the information for the reason given below:

Project Enterprise Outturn 2018/19 - Annex

Paragraph 3

It is considered that the annex to this report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of both the Council and third parties.