

## **Delegations to Officers: Delegations to Chief Executive, Corporate Directors and Heads of Services**

- (1) Matters relating to Recruitment, Selection and termination of employment, Pay, Employment Benefits, Training and Development and other provisions relating to employees of the Council contained from time to time in the Council's Staffing Policies and Procedures documentation.
- (2) Attendance of Officers at Conferences etc.
- (3) To enter into and sign contracts with public utilities, authorities or other bodies where such contracts are regarded as routine commercial matters authenticated by the signature of an officer of the utility, authority or body provided that the contract is within the sum allowed in the Council's estimates and/or Financial Regulations.
- (4) To authorise staff to attend meetings and seminars arranged by the relevant professional associations.
- (5) To terminate employment in case of ill health/capability in consultation with the 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 in consultation with the Head of Finance be delegated authority to agree the introduction of a charge for a new Council activity.
- (10) That in the absence of 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 her or his 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 Parts 1 and 4 of the Anti-Social Behaviour Act 2003:

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| 50359085 | Chief Executive                          |
| 50360579 | Corporate Director                       |
| 50360580 | Corporate Director                       |
| 50360846 | Head of Housing and Environmental Health |

## **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 or a Contracting Officer or a Contract Manager then that officer be authorised to sign contracts. Such signature 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
- (2) The names of such officers authorised under the provisions of this delegation shall be notified by the Head of Service to the Head of Finance acting as the Council's Chief Financial Officer together with details of the maximum value up to which individual officers are authorised to sign and a description of the type of contracts so authorised.

## **Delegation to Monitoring Officer**

- (1) To make amendments and consequential amendments to the Council's Constitution to give effect to any Council resolution and or any statutory requirement.
- (2) In the absence of the Monitoring Officer, the Deputy Monitoring Officer be authorised to exercise the powers and duties of the Monitoring Officer.

## **Delegations to Chief Executive**

- (1) To inform the Council's Bank of the identity of the Council's S151 Officer.
- (2) To do anything, in consultation with the Leader, which is calculated to facilitate, or is conducive or incidental to, the discharge of the Council's functions subject to:
  - (i) the matter being regarded as an emergency or urgent situation; and
  - (ii) a report back to the Council, 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 name of all or any of his powers referred to herein by such person or persons as he considers appropriate.
- (6) In the absence of the S151 Proper Officer the 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) After consulting 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) After consulting the Community and Leisure Portfolio Holder and in accordance with the Council's policy for support to elite athletes to allow concessionary use of the Council's leisure facilities.
- (4) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (5) To select contractors for invitation or tender on approved schemes.
- (6) To permit or organise special events on Council land in accordance with the Council's policy.
- (7) To enter into and approve terms of partnership statements in connection with community grants.
- (8) To take all necessary steps to implement projects approved by the Cabinet or Council.
- (9) After consulting the Community and Leisure Portfolio Holder, allow fees and charges for events and commercial bookings to be agreed (as the market will bear), including Farmers', Craft and Vintage markets and community events in the High Street.
- (10) Make arrangements for the funeral of the deceased under Section 46 of the Public Health (Control of Disease) Act 1984.
- (11) 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 his successor.
- (12) 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.
- (13) Day to day control, management and maintenance of the cemeteries at Andover, Charlton, Romsey and Woodley in accordance with the Council's Regulations.
- (14) 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 (in so far as they relate to fixed penalty notices and associated matters, pertaining to litter and dog fouling)

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|----------|--|
| 50361016 | Senior Countryside Officer                           |
| 50361015 | Countryside Officer                                  |
| 50361014 | Green Space officer                                  |
| 50361554 | Head of Community and Leisure Services               |
| 50361012 | Parks and Countryside Manager                        |
| 50360954 | Sport and Recreation Officer                         |
| 50361010 | Operations Manager for the Cultural Venue of Andover |

(15) To set fees and charges for hiring the showground and sports fields at sports grounds in the ownership or control of the Council.

(16) That the following post holder is authorised to issue authorisations pursuant to the Regulation of Investigatory Powers Act 2000.

50462608 Community Manager

(17) To determine all community grant applications in accordance with the criteria approved from time to time.

(18) 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 (sec 2, 2B, 2C, 21A), Anti Social Behaviour Act 2003 (Sec 43), Clean Neighbourhoods and Environment Act 2005 (in so far as they relate to fixed penalty notices and associated matters, pertaining to litter, dog fouling, fly posting and graffiti and abandoned vehicles)

|          |                                  |
|----------|----------------------------------|
| 50360905 | Community Engagement Manager     |
| 50360906 | Neighbourhood Warden ASB Officer |
| 50360907 | Neighbourhood Warden ASB Officer |
| 50360910 | Neighbourhood Warden             |
| 50360911 | Neighbourhood Warden             |
| 50360912 | Neighbourhood Warden             |
| 50360913 | Neighbourhood Warden             |

(19) That the holders of the following posts and who have been suitably trained, 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 use the powers below in line with the approved Accredited Powers Enforcement Policy.

|          |                                  |
|----------|----------------------------------|
| 50360905 | Community Engagement Manager     |
| 50360906 | Neighbourhood Warden ASB Officer |
| 50360907 | Neighbourhood Warden ASB Officer |



50360910 Neighbourhood Warden  
50360911 Neighbourhood Warden  
50360912 Neighbourhood Warden  
50360913 Neighbourhood Warden

Penalty Notice for truancy Police Reform Act 2002 Paragraph 1 (2) (ab) Schedule 5 and Section 89 (1) of the Anti Social Behaviour Act 2003.

Penalty Notice for cycling on a footpath Police Reform Act 2002 Paragraph 1(2)(a) Schedule 5.

Power to stop cycles Police Reform Act 2002 Paragraph 8A Schedule 5.

Penalty for consumption of alcohol in a designated public place S12 of the Criminal Justice and Police Act 2001.

Powers to require name and address Police Reform Act 2002 Paragraph 2 Schedule 5.

Powers to require name and address for anti social behaviour Police Reform Act 2002 Paragraph 3 Schedule 5.

Power to require persons drinking in designated places to surrender alcohol Police Reform Act 2002 Paragraph 4 Schedule 5.

Power to require persons aged under 18 to surrender alcohol Police Reform Act 2002 Paragraph 5 Schedule 5.

Power to seize tobacco from persons under 16 Police Reform Act 2002 Paragraph 6 Schedule 5.

Penalty for throwing fireworks Explosives Act 1875 S80.

Power to deal with begging Police Reform Act 2002 Paragraph 2 (3) (aa) Schedule 5.

Power to photograph persons away from a police station Police Reform Act 2002 Paragraph 9ZA Schedule 5.

- (20) 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 pursuant to the Anti-Social Behaviour Act 2003.
- (21) In consultation with the Community and Leisure Portfolio Holder to draw up a suitable application process and approve grants from the Community Asset Fund.
- (22) To approve grants from the Council's Community Grants Scheme.
- (23) To request reviews of licences and to make representations to review hearings, pursuant to the Gambling Act 2015 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
  - Above £250,000 and up to the maximum of £650,000 to be approved by the Cabinet

Subject in each case to report back to the 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

Prevention of Damage by Pests Act 1949

Public Health Act 1936-1961

Control of Pollution Act 1974 and Control of Pollution (Amendment) Act 1989

Licensing Act 2003

Clean Neighbourhoods and Environmental Act 2005

Parts II, III & IV and related schedules Environmental Protection Act 1990

Environmental Protection Act 1990

Environment Act 1995

Refuse Disposal (Amenity) Act 1978

Anti-Social Behaviour Act 2003 Part 6

RIDDOR 2000

Regulation of Investigatory Powers Act 2000

- (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 (3) 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 set out in the:-

Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005 (in so far as they relate to fixed penalty notices and associated matters pertaining to graffiti, fly posting, litter and dog fouling), Anti Social Behaviour Act 2003.

|          |                                |
|----------|--------------------------------|
| 50360598 | Head of Environmental Services |
| 50360599 | Waste and Recycling Manager    |
| 50360625 | Waste Collection Supervisor    |
| 50360666 | Waste Collection Supervisor    |

|          |                                       |
|----------|---------------------------------------|
| 50360706 | Street Scene Supervisor (South)       |
| 50360705 | Street Scene Supervisor (North)       |
| 50360628 | Street Scene Manager                  |
| 50360708 | Senior Environmental Services Officer |
| 50360627 | Business Development Manager          |
| 50360629 | Recycling Development Officer         |
| 50360630 | Waste and Recycling Officer           |
| 50360718 | Environmental Services Officer        |
| 50360719 | Environmental Services Officer        |
| 50360707 | Street Scene Supervisor (Technical)   |

- (5) 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**

Prevention of Damage by Pest Act 1949

Public Health Acts 1936-1961

Control of Pollution Act 1974

Licensing Act 2003

Regulation of Investigatory Powers Act 2000

Clean Neighbourhoods and Environment Act 2005

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

Environment Act 1995

All powers under the Refuse Disposal (Amenity) Act 1978

Limited powers Anti Social Behaviour Act 2003 Part 6

RIDDOR 2000

**50360708 Senior Environmental Services Officer**

Licensing Act 2003

Clean Neighbourhoods and Environment Act 2005

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

Environment Act 1995

All powers under the Refuse Disposal (Amenity) Act 1978

Limited powers Anti Social Behaviour Act 2003 Part 6

RIDDOR 2000

Limited powers Control of Pollution (Amendment) Act 1989

**50360629 Recycling Development Officer**

Clean Neighbourhoods and Environment Act 2005

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

Environment Act 1995

All powers relating to abandoned vehicles under the Refuse Disposal (Amenity) Act 1978

Limited powers Anti Social Behaviour Act 2003 Part 6

**50360630 Waste and Recycling Officer**

Clean Neighbourhoods and Environment Act 2005

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

Environment Act 1995

All powers relating to abandoned vehicles under the Refuse Disposal (Amenity) Act 1978

Limited powers Anti Social Behaviour Act 2003 Part 6

**50360718 Environmental Services Officer**

Clean Neighbourhoods and Environment Act 2005

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

Environment Act 1995

All powers under the Refuse Disposal (Amenity) Act 1978

Limited powers Anti Social Behaviour Act 2003 Part 6

Public Health Acts 1936 – 1961

Prevention of Damage by Pests Act 1949

Limited powers Control of Pollution (Amendment) Act 1989

RIDDOR 2000

**50360719 Environmental Services Officer**

Clean Neighbourhoods and Environment Act 2005

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

Environment Act 1995

All powers under the Refuse Disposal (Amenity) Act 1978

Limited powers Anti Social Behaviour Act 2003 Part 6

Public Health Acts 1936 – 1961

Prevention of Damage by Pests Act 1949

Limited powers Control of Pollution (Amendment) Act 1989

RIDDOR 2000

- (6) To issue filled sand bags free of charge in an emergency in accordance with Minute 352.9.4 Council 25 October 2001.

## **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) To authorise any lettings where the rent does not exceed £75,000 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 £10,000.00 per annum or a premium payment of £100,000.00 and where the Council's economic or financial interest is not harmed or disadvantaged.
- (10) To give approval to applications from firms on the industrial estates to sublet for periods of 21 years or less small parts of their sites to electricity suppliers for substation Sites to serve the firm's premises.
- (11) To agree the siting of electricity substations and gas governors with the appropriate authorities subject to the usual rent terms and, if necessary, contributions payable either in respect of screening and/or fencing, and to grant the relevant leases.
- (12) To sell sites to electricity suppliers for use as electricity 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 Act 1985 and any statutory enactment and to be responsible for all aspects of administering Markets in Andover.
- (20) To dispose of land in consultation with the Finance Portfolio Holder and the Head of Finance where the consideration is £25,000.00 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) To authorise in consultation with the Finance Portfolio Holder and the Head of Finance, the acquisition in accordance with Council Policy and Strategy of land and/or premises subject to the purchase price not exceeding £25,000.00.
- (23) To grant licences for temporary/short-term works on Council-owned land.
- (24) To approve in consultation with the Head of Finance appropriations between relevant function areas and statutory holding powers, except where public notice of the proposed appropriation is required and objections are received.
- (25) To exercise the powers and duties of the Council under the Landlord and Tenant (Covenants) Act 1995.
- (26) To approve, in consultation with the Head of Legal and Democratic Services, occupation of council owned premises by a third party in the absence of completed formal documentation in cases of emergency.
- (27) Subject to the Council's Financial and Contract Standing Orders, to be responsible for the appointment of external consultants to advise and/or act for the Council in negotiations and/or transactions relating to any of the above matters.
- (28) In the case of delegations (1), (2), (3), (8), (9), (13),(16), (20) and (23) above any transaction involving the possible installation of one or more telecommunications masts and/or associated ancillary equipment on Council-owned land or buildings

shall be referred to the Council's Cabinet for consideration and approval.

- (29) To give, in consultation with the Head of Planning and Building Services, consent to advertise on Council owned property on such terms as he considers appropriate provided there is no cost to the Council and that the Head of Planning and Building Services be consulted before any advertisement is displayed by the Council.
- (30) To issue licences for temporary buildings in consultation with the Head of Community and Leisure Services.
- (31) To permit the display of banners across the highways or on Council buildings.
- (32) To let the Crosfield Hall, Romsey, Rendezvous, Andover, Guildhall, Andover and meeting rooms at Beech Hurst, Andover in accordance with the Council's policy.
- (33) 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.
- (34) To approve monuments and statues on highway land, after appropriate consultations and subject to the approval of the Highway Authority.
- (35) To appoint CDM Coordinators in respect of projects for which he/she is responsible.
- (36) Day-to-day control and management of Council tourism facilities and associated activities and events provided by the Council.
- (37) Energy Purchase.
- (38) 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.
- (39) In consultation with a panel of Councillors (according to Minute 185.3.1.1 of Council meeting of 11 November 2015), to consider property investments and authorise expenditure from a pre-approved capital budget allocation.

## 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 Authority for items approved.
- (8) That the following postholders are authorised to countersign payments and sign instructions to the Council's Bank:  
  
50360822 Accountancy Manager
- (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 NJC 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 Electronic Communications Policy as and when required.
- (18) That the holder of the following post 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.

50360824 Principal Auditor

## **Delegation to Head of Housing and Environmental Health Service**

- (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 by the Homelessness Act 2002, 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 by the Homelessness Act 2002.
- (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 Social Landlords
  - c) allocation of temporary accommodation for homeless applicants
  - d) payment of removal expenses in appropriate cases
  - e) emergency arrangements
- (8) To deal with applications under the Rent (Agriculture) Act 1976.
- (9) To enter into leases of individual properties with private owners in order to secure temporary accommodation for homeless households.
- (10) Consultations with tenants under the Housing Act 1985.
- (11) To agree transfers of tenants on management grounds as proposed by Registered Social Landlords.
- (12) To approve home loss payments, removal and relocation allowances in accordance with any scheme approved by the Council.
- (13) To investigate allegations of harassment and threats by any illegal evictions.

- (14) To review and determine appeals lodged by Housing Register applicants under Section 164 of the Housing Act 1996.
- (15) After 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 S202 of the Housing Act 1996 (as amended by the Homelessness Act 2002).
- (19) That the Housing Development Manager (post holder 50360894) be authorised to agree in consultation with the Housing and Environmental Health Portfolio Holder the payment of additional grants above the £15,000.00 maximum for Discretionary Renovation Grants (DRGs) in appropriate circumstances
- (20) To approve grant funding in accordance with the Affordable Housing Grants Policy.
- (21) That post 50360920 - Environmental Health Manager shall be authorised to advise upon compliance with the legislation set out (m) below, and subordinate legislation made there under and any amendments thereto, to formally notify contraventions of the legislation etc. as necessary, and to serve 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 (l) 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 (m) 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 grant in respect of Romsey street trading licences or consents, permitting trading up to 22.00 hours in Romsey, subject to review on receipt of any further evidence of public order concerns, which would require consideration of alternative permitted hours except that such consents may be issued for

hours extending beyond 22.00 hours in consultation, with the Housing and Environmental Health Portfolio Holder, for special events.

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

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|----------|---|
| 50360919 | Principal Environmental Health Officer (Commercial) |
| 50360918 | Principal Environmental Health Officer (Pollution)  |
| 50360868 | Principal Environmental Health Officer (Housing)    |
| 50360927 | Environmental Health Officer                        |
| 50360930 | Environmental Health Officer                        |
| 50360931 | Environmental Health Officer                        |
| 50360922 | Environmental Health Officer                        |
| 50360923 | Environmental Health Officer                        |
| 50360924 | Scientific Officer                                  |
| 50360925 | Environmental Protection Officer                    |
| 50360921 | Animal Welfare Officer                              |
| 50360932 | Senior Health Protection Officer                    |
| 50360928 | Health Protection Officer                           |
| 50360869 | Senior Private Sector Housing Officer               |
| 50360870 | Senior Private Sector Housing Officer               |
| 50360871 | Senior Private Sector Housing Officer               |

(m) **The Legislation**

Building Act 1984

Caravan Sites and Control of Development Act 1960

Housing Acts 1957 to 2004

Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
 Housing Grants, Construction and Regeneration Act 1996  
 Local Government and Housing Act 1989  
 Prevention of Damage by Pests Act 1949  
 Public Health Acts 1875;1936 to 1961  
 Clean Air Act 1993  
 Control of Pollution Act 1974  
 Home Energy Conservation Act 1995  
 Environment Act 1995  
 Environmental Protection Act 1990  
 Noise and Statutory Nuisance Act 1993  
 Food Safety Act 1990  
 Water Industry Act 1991  
 Criminal Justice and Public Order Act 1994  
 Animal Boarding and Establishment Act 1963  
 Animal Health Act 1981  
 Breeding of Dogs Act 1973 1991  
 Dangerous Wild Animals Act 1976  
 Pet Animals Act 1951  
 Riding Establishments Act 1964 1970  
 Zoo Licensing Act 1981  
 Food and Environmental Protection Act 1988  
 Hampshire Act 1983  
 Factories Act 1961  
 Offices, Shops and Railway Premises Act 1963  
 Public Health (Control of Disease) Act 1984  
 Shops Act 1950  
 Refuse Disposal (Amenity) Act 1978  
 Sunday Trading Act 1994  
 National Assistance Act 1948  
 Litter Act 1993  
 Licensing Act 2003  
 Regulation of Investigatory Powers Act 2000  
 European Communities Act 1972  
 Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene  
 (England) Regulations 2006  
 Natural Mineral water, Spring Water & Bottled Drinking Water Regulations  
 1999  
 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
 The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
 Imported Food Regulations 1997  
 The Official Feed and Food Controls (England) Regulations 2007 (as  
 amended)  
 Emergency Control Regulations  
 General Food Regulations 2005  
 Contaminants in Food (England) Regulations 2007  
 Quick Frozen Foodstuffs Regulations 1990  
 Pollution Prevention and Control Act 1999  
 Anti-social Behaviour Act Part 6  
 Noise Act 1996

Clean Neighbourhoods and Environment Act 2005  
Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
Animal Welfare Act 2006  
Scrap Metal Dealers Act 2013  
Breeding and Sale of Dogs (Welfare) Act 1999  
Dangerous Dogs Act 1991  
Open Spaces Act 1906  
The Health and Safety Enforcement Regulations 1998  
Crime and Disorder Act 1998  
Police and Criminal Evidence Act 1984  
Asbestos at Work Regulations 1994  
Asbestos Regulations 1983  
The Trade in Animals and Related Products Regulations 2011  
The Animal By-Products (Enforcement)(England) Regulations 2011  
The Official Feed and Food Control (England) Regulations 2009  
The Food Safety and Hygiene (England) Regulations 2013  
The Sunbeds (Regulation) Act 2010  
The Anti-Social Behaviour, Crime and Policing Act 2014

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

Building Act 1984  
Caravan Sites and Control of Development Act 1960  
Housing Acts 1957 to 2004  
Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
Housing Grants, Construction and Regeneration Act 1996  
Local Government and Housing Act 1989  
Prevention of Damage by Pests Act 1949  
Public Health Acts 1875,1936 to 1961  
Clean Air Act 1993  
Control of Pollution Act 1974  
Home Energy Conservation Act 1995  
Environment Act 1995  
Environmental Protection Act 1990  
Noise and Statutory Nuisance Act 1993  
Food Safety Act 1990  
Water Industry Act 1991  
Criminal Justice and Public Order Act 1994  
Animal Boarding and Establishment Act 1963  
Animal Health Act 1981  
Breeding of Dogs Act 1973 1991  
Dangerous Wild Animals Act 1976  
Pet Animals Act 1951  
Riding Establishments Act 1964 1970  
Zoo Licensing Act 1981  
Food and Environmental Protection Act 1988  
Hampshire Act 1983  
Factories Act 1961  
Offices, Shops and Railway Premises Act 1963  
Public Health (Control of Disease) Act 1984  
Shops Act 1950

Refuse Disposal (Amenity) Act 1978  
 Sunday Trading Act 1994  
 National Assistance Act 1948  
 Litter Act 1993  
 Licensing Act 2003  
 Regulation of Investigatory Powers Act 2000  
 European Communities Act 1972  
 Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene (England) Regulations 2006  
 Natural Mineral water, Spring Water & Bottled Drinking Water Regulations 1999  
 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
 The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
 Imported Food Regulations 1997  
 The Official Feed and Food Controls (England) Regulations 2007 (as amended)  
 Emergency Control Regulations  
 General Food Regulations 2005  
 Contaminants in Food (England) Regulations 2007  
 Quick Frozen Foodstuffs Regulations 1990  
 Pollution Prevention and Control Act 1999  
 Anti-social Behaviour Act Part 6  
 Noise Act 1996  
 Clean Neighbourhoods and Environment Act 2005  
 Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
 Animal Welfare Act 2006  
 Scrap Metal Dealers Act 2013  
 Breeding and Sale of Dogs (Welfare) Act 1999  
 Dangerous Dogs Act 1991  
 Open Spaces Act 1906  
 The Health and Safety Enforcement Regulations 1998  
 Crime and Disorder Act 1998  
 Police and Criminal Evidence Act 1984  
 Asbestos at Work Regulations 1994  
 Asbestos Regulations 1983  
 The Trade in Animals and Related Products Regulations 2011  
 The Animal By-Products (Enforcement) (England) Regulations 2011  
 The Official Feed and Food Control (England) Regulations 2009  
 The Food Safety and Hygiene (England) Regulations 2013  
 The Sunbeds (Regulation) Act 2010  
 The Anti-Social Behaviour, Crime and Policing Act 2014

**50360927 Environmental Health Officer**

Building Act 1984  
 Caravan Sites and Control of Development Act 1960  
 Housing Acts 1957 to 2004  
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
 Housing Grants, Construction and Regeneration Act 1996  
 Local Government and Housing Act 1989  
 Prevention of Damage by Pests Act 1949

Public Health Acts 1875, 1936 to 1961  
Clean Air Act 1993  
Control of Pollution Act 1974  
Home Energy Conservation Act 1995  
Environment Act 1995  
Environmental Protection Act 1990  
Noise and Statutory Nuisance Act 1993  
Food Safety Act 1990  
Water Industry Act 1991  
Criminal Justice and Public Order Act 1994  
Animal Boarding and Establishment Act 1963  
Animal Health Act 1981  
Breeding of Dogs Act 1973 1991  
Dangerous Wild Animals Act 1976  
Pet Animals Act 1951  
Riding Establishments Act 1964 1970  
Zoo Licensing Act 1981  
Food and Environmental Protection Act 1988  
Hampshire Act 1983  
Factories Act 1961  
Offices, Shops and Railway Premises Act 1963  
Public Health (Control of Disease) Act 1984  
Shops Act 1950  
Refuse Disposal (Amenity) Act 1978  
Sunday Trading Act 1994  
National Assistance Act 1948  
Litter Act 1993  
Licensing Act 2003  
Regulation of Investigatory Powers Act 2000  
European Communities Act 1972  
Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene (England) Regulations 2006  
Natural Mineral water, Spring Water & Bottled Drinking Water Regulations 1999  
The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
Imported Food Regulations 1997  
The Official Feed and Food Controls (England) Regulations 2007 (as amended)  
Emergency Control Regulations  
General Food Regulations 2005  
Contaminants in Food (England) Regulations 2007  
Quick Frozen Foodstuffs Regulations 1990  
Pollution Prevention and Control Act 1999  
Anti-social Behaviour Act Part 6  
Noise Act 1996  
Clean Neighbourhoods and Environment Act 2005  
Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
Animal Welfare Act 2006  
Scrap Metal Dealers Act 2013



Breeding and Sale of Dogs (Welfare) Act 1999  
Dangerous Dogs Act 1991  
Open Spaces Act 1906  
The Health and Safety Enforcement Regulations 1998  
Crime and Disorder Act 1998  
Police and Criminal Evidence Act 1984  
Asbestos at Work Regulations 1994  
Asbestos Regulations 1983  
The Trade in Animals and Related Products Regulations 2011  
The Animal By-Products (Enforcement) (England) Regulations 2011  
The Official Feed and Food Control (England) Regulations 2009  
The Food Safety and Hygiene (England) Regulations 2013  
The Sunbeds (Regulation) Act 2010  
The Anti-Social Behaviour, Crime and Policing Act 2014

**50360930 Environmental Health Officer**

Building Act 1984  
Caravan Sites and Control of Development Act 1960  
Housing Acts 1957 to 2004  
Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
Housing Grants, Construction and Regeneration Act 1996  
Local Government and Housing Act 1989  
Prevention of Damage by Pests Act 1949  
Public Health Acts 1875, 1936 to 1961  
Clean Air Act 1993  
Control of Pollution Act 1974  
Home Energy Conservation Act 1995  
Environment Act 1995  
Environmental Protection Act 1990  
Noise and Statutory Nuisance Act 1993  
Food Safety Act 1990  
Water Industry Act 1991  
Criminal Justice and Public Order Act 1994  
Animal Boarding and Establishment Act 1963  
Animal Health Act 1981  
Breeding of Dogs Act 1973 1991  
Dangerous Wild Animals Act 1976  
Pet Animals Act 1951  
Riding Establishments Act 1964 1970  
Zoo Licensing Act 1981  
Food and Environmental Protection Act 1988  
Hampshire Act 1983  
Factories Act 1961  
Offices, Shops and Railway Premises Act 1963  
Public Health (Control of Disease) Act 1984  
Shops Act 1950  
Refuse Disposal (Amenity) Act 1978  
Sunday Trading Act 1994  
National Assistance Act 1948  
Litter Act 1993

Licensing Act 2003  
 Regulation of Investigatory Powers Act 2000  
 European Communities Act 1972  
 Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene (England) Regulations 2006  
 Natural Mineral water, Spring Water & Bottled Drinking Water Regulations 1999  
 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
 The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
 Imported Food Regulations 1997  
 The Official Feed and Food Controls (England) Regulations 2007 (as amended)  
 Emergency Control Regulations  
 General Food Regulations 2005  
 Contaminants in Food (England) Regulations 2007  
 Quick Frozen Foodstuffs Regulations 1990  
 Pollution Prevention and Control Act 1999  
 Anti-social Behaviour Act Part 6  
 Noise Act 1996  
 Clean Neighbourhoods and Environment Act 2005  
 Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
 Animal Welfare Act 2006  
 Scrap Metal Dealers Act 2013  
 Breeding and Sale of Dogs (Welfare) Act 1999  
 Dangerous Dogs Act 1991  
 Open Spaces Act 1906  
 The Health and Safety Enforcement Regulations 1998  
 Crime and Disorder Act 1998  
 Police and Criminal Evidence Act 1984  
 Asbestos at Work Regulations 1994  
 Asbestos Regulations 1983  
 The Trade in Animals and Related Products Regulations 2011  
 The Animal By-Products (Enforcement) (England) Regulations 2011  
 The Official Feed and Food Control (England) Regulations 2009  
 The Food Safety and Hygiene (England) Regulations 2013  
 The Sunbeds (Regulation) Act 2010  
 The Anti-Social Behaviour, Crime and Policing Act 2014

**50360931 Environmental Health Officer**

Building Act 1984  
 Caravan Sites and Control of Development Act 1960  
 Housing Acts 1957 to 2004  
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
 Housing Grants, Construction and Regeneration Act 1996  
 Local Government and Housing Act 1989  
 Prevention of Damage by Pests Act 1949  
 Public Health Acts 1875, 1936 to 1961  
 Clean Air Act 1993  
 Control of Pollution Act 1974  
 Home Energy Conservation Act 1995

Environment Act 1995  
 Environmental Protection Act 1990  
 Noise and Statutory Nuisance Act 1993  
 Food Safety Act 1990  
 Water Industry Act 1991  
 Criminal Justice and Public Order Act 1994  
 Animal Boarding and Establishment Act 1963  
 Animal Health Act 1981  
 Breeding of Dogs Act 1973 1991  
 Dangerous Wild Animals Act 1976  
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 Riding Establishments Act 1964 1970  
 Zoo Licensing Act 1981  
 Food and Environmental Protection Act 1988  
 Hampshire Act 1983  
 Factories Act 1961  
 Offices, Shops and Railway Premises Act 1963  
 Public Health (Control of Disease) Act 1984  
 Shops Act 1950  
 Refuse Disposal (Amenity) Act 1978  
 Sunday Trading Act 1994  
 National Assistance Act 1948  
 Litter Act 1993  
 Licensing Act 2003  
 Regulation of Investigatory Powers Act 2000  
 European Communities Act 1972  
 Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene  
 (England) Regulations 2006  
 Natural Mineral water, Spring Water & Bottled Drinking Water Regulations  
 1999  
 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
 The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
 Imported Food Regulations 1997  
 The Official Feed and Food Controls (England) Regulations 2007 (as  
 amended)  
 Emergency Control Regulations  
 General Food Regulations 2005  
 Contaminants in Food (England) Regulations 2007  
 Quick Frozen Foodstuffs Regulations 1990  
 Pollution Prevention and Control Act 1999  
 Anti-social Behaviour Act Part 6  
 Noise Act 1996  
 Clean Neighbourhoods and Environment Act 2005  
 Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
 Animal Welfare Act 2006  
 Scrap Metal Dealers Act 2013  
 Breeding and Sale of Dogs (Welfare) Act 1999  
 Dangerous Dogs Act 1991  
 Open Spaces Act 1906  
 The Health and Safety Enforcement Regulations 1998

Crime and Disorder Act 1998  
Police and Criminal Evidence Act 1984  
Asbestos at Work Regulations 1994  
Asbestos Regulations 1983  
The Trade in Animals and Related Products Regulations 2011  
The Animal By-Products (Enforcement) (England) Regulations 2011  
The Official Feed and Food Control (England) Regulations 2009  
The Food Safety and Hygiene (England) Regulations 2013  
The Sunbeds (Regulation) Act 2010  
The Anti-Social Behaviour, Crime and Policing Act 2014

**50360928 Health Protection Officer**

Offices, Shops and Railway Premises Act 1963  
Hampshire Act 1983  
Factories Act 1961  
Asbestos at Work Regulations 1994  
Asbestos Regulations 1983  
Health and Safety Enforcement Regulations 1998  
Food and Environmental Protection Act 1988  
Public Health (Control of Disease) Act 1984  
Shops Act 1950  
Prevention of Damage by Pests Act 1949  
Licensing Act 2003  
Sunday Trading Act 1994  
Water Industry Act 1991  
Food Safety Act 1990  
Health Act 2006 PART 1 Chapter 1  
European Communities Act 1972  
Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene (England) Regulations 2006  
Natural Mineral water, Spring Water & Bottled Drinking Water Regulations 1999  
Local Government (Misc. Provisions) Acts 1976 and 1982  
General Food Regulations 2005  
Contaminates in Food (England) Regulations 2007  
Quick Frozen Foodstuffs Regulations 1990  
Animal Boarding and Establishment Act 1963  
Noise and Statutory Nuisance Act 1993  
Animal Health Act 1981  
Dangerous Wild Animals Act 1975  
Pet Animals Act 1951  
Riding Establishments Act 1964 and 1970  
Breeding of Dogs Act 1973 and 1991  
Zoo Licensing Act 1981  
Animal Welfare Act 2006  
Clean Neighbourhoods and Environment Act 2005  
Environmental Protection Act 1990  
Local Government (Misc. Provisions) Acts 1976 and 1982  
Dangerous Dogs Act 1991  
The Trade in Animals and Related Products Regulations 2011

The Animal By-Products (Enforcement) (England) Regulations 2011  
The Official Feed and Food Control (England) Regulations 2009  
The Food Safety and Hygiene (England) Regulations 2013  
The Sunbeds (Regulation) Act 2010

**50360932 Senior Health Protection Officer**

Riding Establishments Act 1964  
Asbestos at Work Regulations 1994  
Asbestos Regulations 1983  
Health and Safety Enforcement Regulations 1998  
Offices, Shops and Railway Premises Act 1963  
Food and Environmental Protection Act 1988  
Public Health (Control of Disease) Act 1984  
Prevention of Damage by Pests Act 1949  
Food and Environmental Protection Act 1988  
Hampshire Act 1983  
Licensing Act 2003  
Food Safety Act 1990  
Sunday Trading Act 1994  
Local Government (Misc. Provisions) Acts 1976 and 1982  
Health Act 2006 PART 1 Chapter 1  
The Sunbeds (Regulation) Act 2010

**50360868 Principal Environmental Health Officer (Housing)**

Building Act 1984  
Caravan Sites and Control of Development Act 1960  
Housing Acts 1957 to 2004  
Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
Housing Grants, Construction and Regeneration Act 1996  
Local Government and Housing Act 1989  
Prevention of Damage by Pests Act 1949  
Public Health Acts 1875,1936 to 1961  
Clean Air Act 1993  
Control of Pollution Act 1974  
Home Energy Conservation Act 1995  
Environment Act 1995  
Environmental Protection Act 1990  
Noise and Statutory Nuisance Act 1993  
Food Safety Act 1990  
Water Industry Act 1991  
Criminal Justice and Public Order Act 1994  
Animal Boarding and Establishment Act 1963  
Animal Health Act 1981  
Breeding of Dogs Act 1973 1991  
Dangerous Wild Animals Act 1976  
Pet Animals Act 1951  
Riding Establishments Act 1964 1970  
Zoo Licensing Act 1981  
Food and Environmental Protection Act 1988  
Hampshire Act 1983

Factories Act 1961  
 Offices, Shops and Railway Premises Act 1963  
 Public Health (Control of Disease) Act 1984  
 Shops Act 1950  
 Refuse Disposal (Amenity) Act 1978  
 Sunday Trading Act 1994  
 National Assistance Act 1948  
 Litter Act 1993  
 Licensing Act 2003  
 Regulation of Investigatory Powers Act 2000  
 European Communities Act 1972  
 Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene (England) Regulations 2006  
 Natural Mineral water, Spring Water & Bottled Drinking Water Regulations 1999  
 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
 The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
 Imported Food Regulations 1997  
 The Official Feed and Food Controls (England) Regulations 2007 (as amended)  
 Emergency Control Regulations  
 General Food Regulations 2005  
 Contaminants in Food (England) Regulations 2007  
 Quick Frozen Foodstuffs Regulations 1990  
 Pollution Prevention and Control Act 1999  
 Anti-social Behaviour Act Part 6  
 Noise Act 1996  
 Clean Neighbourhoods and Environment Act 2005  
 Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
 Animal Welfare Act 2006  
 Scrap Metal Dealers Act 2013  
 Breeding and Sale of Dogs (Welfare) Act 1999  
 Dangerous Dogs Act 1991  
 Open Spaces Act 1906  
 The Health and Safety Enforcement Regulations 1998  
 Crime and Disorder Act 1998  
 Police and Criminal Evidence Act 1984  
 Asbestos at Work Regulations 1994  
 Asbestos Regulations 1983

**503600869 Senior Private Sector Housing Officer**

Caravan Sites and Control of Development Act 1960  
 Housing Acts 1957 – 2004  
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
 Building Act 1984  
 Licensing Act 2003  
 Clean Neighbourhoods and Environment Act 2005  
 Housing Grants, Construction and Regeneration Act 1982  
 Local Government and Housing Act 1989  
 All powers under Section 79 (1) a and h – Environmental Protection Act 1990

RIDDOR 2000

**50360870 Senior Private Sector Housing Officer**

Caravan Sites and Control of Development Act 1960

Housing Acts 1957 - 2004

Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Building Act 1984

Licensing Act 2003

Clean Neighbourhoods and Environment Act 2005

Housing Grants, Construction and Regeneration Act 1982

Local Government and Housing Act 1989

All powers under Section 79 (1) a and h – Environmental Protection Act 1990

RIDDOR 2000

**50360871 Senior Private Sector Housing Officer**

Caravan Sites and Control of Development Act 1960

Housing Acts 1957 - 2004

Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Building Act 1984

Licensing Act 2003

Clean Neighbourhoods and Environment Act 2005

Housing Grants, Construction and Regeneration Act 1982

Local Government and Housing Act 1989

All powers under Section 79 (1) a and h – Environmental Protection Act 1990

RIDDOR 2000

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

Building Act 1984

Caravan Sites and Control of Development Act 1960

Housing Acts 1957 to 2004

Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Housing Grants, Construction and Regeneration Act 1996

Local Government and Housing Act 1989

Prevention of Damage by Pests Act 1949

Public Health Acts 1875,1936 to 1961

Clean Air Act 1993

Control of Pollution Act 1974

Home Energy Conservation Act 1995

Environment Act 1995

Environmental Protection Act 1990

Noise and Statutory Nuisance Act 1993

Food Safety Act 1990

Water Industry Act 1991

Criminal Justice and Public Order Act 1994

Animal Boarding and Establishment Act 1963

Animal Health Act 1981

Breeding of Dogs Act 1973 1991

Dangerous Wild Animals Act 1976

Pet Animals Act 1951

Riding Establishments Act 1964 1970

Zoo Licensing Act 1981  
 Food and Environmental Protection Act 1988  
 Hampshire Act 1983  
 Factories Act 1961  
 Offices, Shops and Railway Premises Act 1963  
 Public Health (Control of Disease) Act 1984  
 Shops Act 1950  
 Refuse Disposal (Amenity) Act 1978  
 Sunday Trading Act 1994  
 National Assistance Act 1948  
 Litter Act 1993  
 Licensing Act 2003  
 Regulation of Investigatory Powers Act 2000  
 European Communities Act 1972  
 Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene  
 (England) Regulations 2006  
 Natural Mineral water, Spring Water & Bottled Drinking Water Regulations  
 1999  
 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
 The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
 Imported Food Regulations 1997  
 The Official Feed and Food Controls (England) Regulations 2007 (as  
 amended)  
 Emergency Control Regulations  
 General Food Regulations 2005  
 Contaminants in Food (England) Regulations 2007  
 Quick Frozen Foodstuffs Regulations 1990  
 Pollution Prevention and Control Act 1999  
 Anti-social Behaviour Act Part 6  
 Noise Act 1996  
 Clean Neighbourhoods and Environment Act 2005  
 Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
 Animal Welfare Act 2006  
 Scrap Metal Dealers Act 2013  
 Breeding and Sale of Dogs (Welfare) Act 1999  
 Dangerous Dogs Act 1991  
 Open Spaces Act 1906  
 The Health and Safety Enforcement Regulations 1998  
 Crime and Disorder Act 1998  
 Police and Criminal Evidence Act 1984  
 Asbestos at Work Regulations 1994  
 Asbestos Regulations 1983  
 The Anti-Social Behaviour, Crime and Policing Act 2014

**50360923 Environmental Health Officer**

Building Act 1984  
 Caravan Sites and Control of Development Act 1960  
 Housing Acts 1957 to 2004  
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
 Housing Grants, Construction and Regeneration Act 1996



Local Government and Housing Act 1989  
 Prevention of Damage by Pests Act 1949  
 Public Health Acts 1875, 1936 to 1961  
 Clean Air Act 1993  
 Control of Pollution Act 1974  
 Home Energy Conservation Act 1995  
 Environment Act 1995  
 Environmental Protection Act 1990  
 Noise and Statutory Nuisance Act 1993  
 Food Safety Act 1990  
 Water Industry Act 1991  
 Criminal Justice and Public Order Act 1994  
 Animal Boarding and Establishment Act 1963  
 Animal Health Act 1981  
 Breeding of Dogs Act 1973 1991  
 Dangerous Wild Animals Act 1976  
 Pet Animals Act 1951  
 Riding Establishments Act 1964 1970  
 Zoo Licensing Act 1981  
 Food and Environmental Protection Act 1988  
 Hampshire Act 1983  
 Factories Act 1961  
 Offices, Shops and Railway Premises Act 1963  
 Public Health (Control of Disease) Act 1984  
 Shops Act 1950  
 Refuse Disposal (Amenity) Act 1978  
 Sunday Trading Act 1994  
 National Assistance Act 1948  
 Litter Act 1993  
 Licensing Act 2003  
 Regulation of Investigatory Powers Act 2000  
 European Communities Act 1972  
 Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene  
 (England) Regulations 2006  
 Natural Mineral water, Spring Water & Bottled Drinking Water Regulations  
 1999  
 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
 The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
 Imported Food Regulations 1997  
 The Official Feed and Food Controls (England) Regulations 2007 (as  
 amended)  
 Emergency Control Regulations  
 General Food Regulations 2005  
 Contaminants in Food (England) Regulations 2007  
 Quick Frozen Foodstuffs Regulations 1990  
 Pollution Prevention and Control Act 1999  
 Anti-social Behaviour Act Part 6  
 Noise Act 1996  
 Clean Neighbourhoods and Environment Act 2005  
 Health Act 2006 – Smokefree provisions PART 1 Chapter 1

Animal Welfare Act 2006  
Scrap Metal Dealers Act 2013  
Breeding and Sale of Dogs (Welfare) Act 1999  
Dangerous Dogs Act 1991  
Open Spaces Act 1906  
The Health and Safety Enforcement Regulations 1998  
Crime and Disorder Act 1998  
Police and Criminal Evidence Act 1984  
Asbestos at Work Regulations 1994  
Asbestos Regulations 1983  
The Trade in Animals and Related Products Regulations 2011  
The Animal By-Products (Enforcement) (England) Regulations 2011  
The Official Feed and Food Control (England) Regulations 2009  
The Food Safety and Hygiene (England) Regulations 2013  
The Sunbeds (Regulation) Act 2010  
The Anti-Social Behaviour, Crime and Policing Act 2014

**50360925 Environmental Protection Officer**

Building Act 1984  
Prevention of Damage by Pests Act 1949  
Clean Air Acts 1993  
Public Health Acts 1875 – 1961  
Control of Pollution Act 1974  
Environmental Protection Act 1990  
Environment Act 1995  
Noise and Statutory Nuisance Act 1993  
Noise Act 1996  
Local Government (Misc. provisions) Acts 1976-1982  
Pollution Prevention and Control Act 1999  
Licensing Act 2003  
Clean Neighbourhoods and Environment Act 2005  
Health Act 2006 PART 1 Chapter 1  
Crime and Disorder Act 1998  
Scrap Metal Dealers Act 2013  
Water Industry Act 1991  
Anti-social Behaviour Act Part 6  
National Assistance Act 1943  
The Anti-Social Behaviour, Crime and Policing Act 2014

**50360924 Scientific Officer**

Building Act 1984  
Prevention of Damage by Pests Act 1949  
Clean Air Acts 1993  
Public Health Acts 1875 – 1961  
Control of Pollution Act 1974  
Environmental Protection Act 1990  
Environment Act 1995  
Noise and Statutory Nuisance Act 1993  
Noise Act 1996  
Local Government (Misc. provisions) Acts 1976-1982

Licensing Act 2003  
Scrap Metal Dealers Act 2013  
Water Industry Act 1991

**50360922 Environmental Health Officer**

Building Act 1984  
Caravan Sites and Control of Development Act 1960  
Housing Acts 1957 to 2004  
Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
Housing Grants, Construction and Regeneration Act 1996  
Local Government and Housing Act 1989  
Prevention of Damage by Pests Act 1949  
Public Health Acts 1875, 1936 to 1961  
Clean Air Act 1993  
Control of Pollution Act 1974  
Home Energy Conservation Act 1995  
Environment Act 1995  
Environmental Protection Act 1990  
Noise and Statutory Nuisance Act 1993  
Food Safety Act 1990  
Water Industry Act 1991  
Criminal Justice and Public Order Act 1994  
Animal Boarding and Establishment Act 1963  
Animal Health Act 1981  
Breeding of Dogs Act 1973 1991  
Dangerous Wild Animals Act 1976  
Pet Animals Act 1951  
Riding Establishments Act 1964 1970  
Zoo Licensing Act 1981  
Food and Environmental Protection Act 1988  
Hampshire Act 1983  
Factories Act 1961  
Offices, Shops and Railway Premises Act 1963  
Public Health (Control of Disease) Act 1984  
Shops Act 1950  
Refuse Disposal (Amenity) Act 1978  
Sunday Trading Act 1994  
National Assistance Act 1948  
Litter Act 1993  
Licensing Act 2003  
Regulation of Investigatory Powers Act 2000  
European Communities Act 1972  
Regulation (EC) 852/2004, 853/2004, 854/2004 178/2002 – Food Hygiene  
(England) Regulations 2006  
Natural Mineral water, Spring Water & Bottled Drinking Water Regulations  
1999  
The Meat (Enhanced Enforcement Powers) (England) Regulations 2000  
The Transmissible Spongiform Encephalopathy (England) Regulations 2002  
Imported Food Regulations 1997

The Official Feed and Food Controls (England) Regulations 2007 (as amended)  
Emergency Control Regulations  
General Food Regulations 2005  
Contaminants in Food (England) Regulations 2007  
Quick Frozen Foodstuffs Regulations 1990  
Pollution Prevention and Control Act 1999  
Anti-social Behaviour Act Part 6  
Noise Act 1996  
Clean Neighbourhoods and Environment Act 2005  
Health Act 2006 – Smokefree provisions PART 1 Chapter 1  
Animal Welfare Act 2006  
Scrap Metal Dealers Act 2013  
Breeding and Sale of Dogs (Welfare) Act 1999  
Dangerous Dogs Act 1991  
Open Spaces Act 1906  
The Health and Safety Enforcement Regulations 1998  
Crime and Disorder Act 1998  
Police and Criminal Evidence Act 1984  
Asbestos at Work Regulations 1994  
Asbestos Regulations 1983  
The Trade in Animals and Related Products Regulations 2011  
The Animal By-Products (Enforcement) (England) Regulations 2011  
The Official Feed and Food Control (England) Regulations 2009  
The Food Safety and Hygiene (England) Regulations 2013  
The Sunbeds (Regulation) Act 2010  
The Anti-Social Behaviour, Crime and Policing Act 2014

**50360921 Animal Welfare Officer**

Animal Boarding and Establishment Act 1963  
Noise and Statutory Nuisance Act 1993  
Animal Health Act 1981  
Dangerous Wild Animals Act 1975  
Pet Animals Act 1951  
Riding Establishments Act 1964 and 1970  
Breeding of Dogs Act 1973 and 1991  
Zoo Licensing Act 1981  
Animal Welfare Act 2006  
Clean Neighbourhoods and Environment Act 2005  
Environmental Protection Act 1990,  
Local Government (Misc. Provisions) Acts 1976 and 1982  
Dangerous Dogs Act 1991  
The Anti-Social Behaviour, Crime and Policing Act 2014

- (n) 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:

50360852 Senior Business Support Officer

50360854 Area Pest Control Officer

50360855 Area Pest Control Officer

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

50360920 Environmental Health Manager

50360868 Principal Environmental Health Officer (Housing)

50360918 Principal Environmental Health Officer (Pollution)

50360919 Principal Environmental Health Officer (Commercial)

50360927 Environmental Health Officer

50360930 Environmental Health Officer

50360931 Environmental Health Officer

50360922 Environmental Health Officer

50360923 Environmental Health Officer

50360928 Health Protection Officer

50360932 Senior Health Protection Officer

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 serve Notices relating to contraventions of the legislation etc. or Notices seeking information relating to such contraventions, to bring proceedings [or lay information] according with S38 of the Health and Safety at Work etc. Act 1974 and any other relevant statutory provisions and to carry out the activities 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) 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

50360919 Principal Environmental Health Officer (Commercial)

50360868 Principal Environmental Health Officer (Housing)

50360918 Principal Environmental Health Officer (Pollution)

50360927 Environmental Health Officer  
50360930 Environmental Health Officer  
50360931 Environmental Health Officer  
50360922 Environmental Health Officer  
50360923 Environmental Health Officer  
50360928 Health Protection Officer  
50360921 Animal Welfare Officer

- (24) That post 5060920 – Environmental Health Manager be authorised to request reviews of licences and certificates and to make representations to review hearings, pursuant to the Licensing Act 2003 any subordinate legislation made thereunder and any amendments thereto.
- (25) That the holders of the posts below be authorised under The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 and The Redress Schemes for Letting Agency Work and Property Management work (Requirements to Belong to a Scheme etc.) (England) Order 2014.
- 50360920 Environmental Health Manager  
50360919 Principal Environmental Health Officer (Commercial)  
50360868 Principal Environmental Health Officer (Housing)  
50360918 Principal Environmental Health Officer (Pollution)  
50360927 Environmental Health Officer  
50360930 Environmental Health Officer  
50360931 Environmental Health Officer  
50360922 Environmental Health Officer  
50360923 Environmental Health Officer  
50360869 Senior Private Sector Housing Officer  
50360870 Senior Private Sector Housing Officer  
50360871 Senior Private Sector Housing Officer
- (26) That the post 50360868 – Principal Environmental Health Officer (Commercial) be appointed as lead officer under and in accordance with the revised Food Law Code of Practice (England) 2015.
- (27) 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

# 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 make applications under Section 47 of the National Assistance Act 1948 and Section 1 of the National Assistance (Amendment) Act 1951 upon receiving representations from the Proper Officer.
- (4) To recover the cost of works in default under Section 193 and Schedule 10 of the Housing Act 1985 relating to repairs to privately rented dwellings.
- (5) To sign a waiver relating to House Renovation Grants limiting repayment to the nominal sum of 5p in the event of the lender having to exercise its power of sale subject to the payment to the Authority of any proceeds of sale held by the lender after full repayment of outstanding mortgage debt and proper costs to a maximum of the grant repayment.
- (6) To transfer open space, landscaping and recreational facilities on private residential developments by way of adoption subject to the developer paying a capital sum for maintenance calculated by the Head of 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.

- (7) To enter into agreements in respect of applications to retain and maintain trees, shrubs, plants or grass in part of a highway verge.
- (8) To sign releases of mortgages granted by the Council provided such repayment has been made.
- (9) To sign notices, orders or other documents made or issued by the Council.
- (10) To close streets for public processions, rejoicings or illuminations under section 21 of the Town Police Clauses Act 1847.
- (11) After consultation with the Chairman of the appropriate Development Control Committee to lodge an objection or representations as to the imposition of conditions on an application for an Operators Licence in those cases where the operating centre would be unsuitable for use as such on environmental grounds in accordance with the provisions of the Goods Vehicles (Licensing of Operators) Act 1995.
- (12) To authorise the postponement of the Council's discount charge relating to former Council houses.
- (13) To amend the Licensing Committee and Licensing Sub-Committee Procedure Rules to give effect to legislative changes.
- (14) Romsey Rapids Investment: That the Head of Legal and Democratic Services and Head of Finance be authorised to make changes to the existing management agreement from 2005/06 onwards consistent with the financial and performance scenario outlined in Section 7 (Executive 09/02/05 Item 16).
- (15) To complete legal agreements or legal charges pursuant to the Private Sector Housing Renewal Policy and to register such documents as appropriate at HM Land Registry.
- (16) To authorise the postponement of a Legal Charge created pursuant to the Private Sector Housing Renewal Policy.
- (17) 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.
- (18) To update the Data Protection Policy (DPP) as and when required.
- (19) 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.
- (20) To authorise Authorising Officers pursuant to the Corporate Surveillance Policy.
- (21) 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.



- (22) 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.
- (23) To approve payments to co-opted Members pursuant to the Members Allowance Scheme.
- (24) 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.
- (25) To issue licences under S.2 of the House-to-House Collections Act, 1939, as amended after suitable attempts at liaison and after making such enquiries as may be necessary.
- (26) To allocate street collections.
- (27) 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.
- (28) To convene meetings of working parties, panels and other meetings in which members are involved.
- (29) Following consultation with the Leader, to approve the attendance of Members at conferences and meetings including the payment of travelling and subsistence allowances.
- (30) 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.
- (31) 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.
- (32) To reject representations under the Licensing Act 2003 which he considers to be vexatious, frivolous or repetitious.
- (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 reject representations under the Gambling Act 2005 which he considers to be vexatious, frivolous or repetitious.

- (36) To determine applications for Licensed Premises Gaming Machine Permits.
- (37) To cancel or vary Licensed Premises Gaming Machine Permits.
- (38) To determine applications for Club Gaming Permits and Club Machine Permits.
- (39) To determine applications for Prize Gaming Permits.
- (40) To determine applications for Small Lottery Registration.
- (41) To revoke a Small Lottery Registration.
- (42) To remove automatic entitlement to gaming and/or to two gaming machines on alcohol licensed premises.
- (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) 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.
- (46) To make recommendations under the Licensing Act 2003 as to the restriction of admission of children to non-classified films, or a particular classified film, save always to his discretion to refer a film to a licensing sub-committee for determination of the appropriate recommendation.
- (47) To serve Closure Notices under S19 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 S19-28 of that Act.
- (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:
  - Local Government (Miscellaneous Provisions) Acts 1976 and 1982
  - Town Police Clauses Acts 1847 and 1889
  - Public Health Acts 1875 and 1936
  - House to House Collections Act 1939
  - Hypnotism Act 1952
  - Police, Factories Etc. (Miscellaneous Provisions) Act 1916
  - Licensing Act 2003
  - Gambling Act 2005
  - Health Act 2006 – Smoke free provisions PART 1 Chapter 1 (in so far as they relate to fixed penalty notices and associated matters pertaining to the smoke free

requirements)  
Scrap Metal Dealers Act 2013

|          |  |
|----------|--|
| 50361447 | Licensing Manager                          |
| 50689609 | Licensing and Local Land Charges Assistant |
| 50361451 | Land Charges Supervisor                    |

- (50) To approve increases in Hackney Carriage fares in consultation with the Corporate Portfolio Holder.
- (51) In consultation with the Corporate Portfolio Holder, to appoint individuals to parish and community councils should circumstances mean that they are no longer quorate in the future.
- (52) To determine applications for sex establishment licences save for where objections to the grant, transfer or renewal of a licence have been received.
- (53) 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 considers it appropriate to do so.

## Delegation to Head of Planning and Building Services

- (1) Decisions on all applications, notifications, consultations, negotiations, serving of notices, and other activities carried out under Town and Country Planning legislation, 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 which the Head of Planning and Building Services considers are of significant local interest or impact.
  - (c) Applications (excluding notifications) where a Member requests in writing, with reasons, within the stipulated time span that they be submitted to Committee.
  - (d) Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest for its own developments except for the approval of minor developments.
  - (e) Notifications on which material planning objection(s) has been received within the stipulated time span and no agreement with the Chairman of the appropriate Committee after consultation with the appropriate Ward Member(s) has been reached.
- (2) Determination of applications (excluding applications for advertisement consent, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights; Schedule 2, Part 1, Classes B, C, 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:  
Town and Country Planning Act 1990  
Planning (Listed Building and Conservation Areas) Act 1990  
Planning (Hazardous Substances) Act 1990

The Environment Act 1995  
The Forestry Act 1967  
Anti-Social Behaviour Act 2003, Part 8.

|          |  |
|----------|--|
| 50361136 | Head of Planning and Building Services |
| 50361139 | Development Manager                    |
| 50361140 | Development Manager                    |
| 50361216 | Principal Planning Officer             |
| 50361200 | Principal Planning Officer             |
| 50361212 | Senior Planning Officer                |
| 50361218 | Senior Planning Officer                |
| 50361330 | Senior Planning Officer                |
| 50649304 | Senior Planning Officer                |
| 50649303 | Senior Planning Officer                |
| 50361213 | Senior Planning Officer                |
| 50361217 | Senior Planning Officer                |
| 50364204 | Planning Officer                       |
| 50497932 | Planning Officer                       |
| 50361220 | Planning Officer                       |
| 50360949 | Planning Officer                       |
| 50361219 | Planning Officer                       |
| 50361202 | Planning Assistant                     |
| 50361222 | Planning Assistant                     |
| 50361201 | Planning Assistant                     |
| 50361203 | Planning Assistant                     |
| 50361226 | Planning Assistant                     |
| 50361246 | Planning Enforcement Manager           |
| 50361248 | Enforcement Officer                    |
| 50361249 | Enforcement Officer                    |
| 50381163 | 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) The issuing of notices pursuant to S171C (Planning Contravention Notices) and S330 (Power to require information as to interests in land) Town and Country Planning Act 1990 as amended.

(6) That the following postholders, 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 in so far 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 in so far 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:
  - (i) To give fixed penalty notices pursuant to the legislation set out below and any subordinate legislation made thereunder and any amendments thereto.
  - (ii) To enter land or premises and to carry out any act included in the legislation set out below and any subordinate legislation made thereunto and any amendments thereto.

Anti-social Behaviour Act 2003 Part 6 (in so far as it relates to graffiti and fly posting), Clean Neighbourhoods and Environment Act 2005 Part 2 (in so far as it relates to nuisance parking) and Part 4 (in so far as it relates to graffiti and fly posting and advertisements).

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| 50361246 | Planning Enforcement Manager |
| 50361249 | Enforcement Officer          |
| 50361248 | Enforcement Officer          |
| 50381163 | Enforcement Officer          |
| 50361250 | Enforcement Officer          |

- (10) Approval of plans under Building Regulations with or without conditions.
- (11) Rejection of plans under Building Regulations.
- (12) Serving of notices in respect of demolitions and Dangerous Structures.
- (13) Determine applications for relaxation of Building Regulations and subject to his being satisfied issue approval and report thereon to the next meeting of the Committee.
- (14) To serve Notices under Section 25 of the Land Drainage Act 1991.
- (15) To authorise proceedings under S.35 of the Building Act 1984.
- (16) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (17) That in accordance with Section 30 of the Party Wall Act 1996, the Head of Planning and Building Services be designated the "Appointing Officer".
- (18) That the Head of Planning and Building Services, in consultation with the Head of Finance be authorised 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 set out in the:

Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
Town Police Clauses Acts 1847 and 1889  
Public Health Acts 1875 and 1936  
Hypnotism Act 1952  
Fire Safety and Safety of Places of Sport Act 1987  
Licensing Act 2003 (from commencement in February 2005)

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| 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:
- The making of provisional tree preservation orders , and to vary, modify or revoke such orders.
  - 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.
  - Decisions on action to be taken following service of notice on the Council under s.211 of the Town and Country Planning Act 1990.

- All related applications, notices and matters under the Town and Country Planning Act 1990 as amended and regulations made thereunder.
- Matters and activities under relevant sections of the Environment Act 1995 and the Forestry Act 1967 and regulations made thereunder.
- 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 S23 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 (Head of Planning and Building) considers appropriate in cases where in the opinion of the Head of Planning and Building 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.

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|----------|------------------------|
| 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.

(27) To serve notice in connection with building works requiring either removal or alteration in accordance with Section 36 of the Building Act 1984.



## **Delegation to Head of Planning Policy and Transport**

- (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 Head of Planning Policy and Transport 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:

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

|          |  |
|----------|--|
| 50361017 | Head of Planning Policy and Transport    |
| 50361050 | Planning Policy Manager                  |
| 50361059 | Senior Planning Officer                  |
| 50361066 | Landscape Architect                      |
| 50361056 | Senior Planning Officer (Implementation) |
| 50361061 | Planning Officer                         |
| 50361062 | Planning Officer                         |
| 50361054 | Transport Planner                        |
| 50361055 | Transport Planner                        |
| 50361073 | Engineering and Transport Manager        |
| 50361127 | Senior Transport Engineer                |
| 50361129 | Transport Engineer                       |
| 50361130 | Transport Engineer                       |
| 50361074 | Senior Project Engineer                  |
| 50361076 | Project Engineer                         |
| 50361134 | Project Engineer                         |

- (2) Be authorised in consultation with the Economic Development and Tourism and Planning Portfolio Holders to apply for other Community Transport Schemes to be encompassed within the Concessionary Travel Scheme including Dial-a-Ride Service.
- (3) Implementation of transport capital programmes.
- (4) General day-to-day operation of the Transport Services.
- (5) Determination of Penalty Charge Notices.
- (6) To install refuse or storage bins in streets under S185 of the Highways Act 1980.
- (7) In consultation with the Police to close highways and divert traffic in emergencies or for a period not exceeding one day where necessary.

- (8) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (9) 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.
- (10) To permit the use of car parks during charging hours for events of a charitable nature subject to consultation with the Finance and Planning Portfolio Holders..
- (11) To permit the use of the car parks outside the charging hours for events of a charitable nature.
- (12) To allow space within a car park to be used for the convenience of the public at large on such terms and conditions as he considers appropriate including the making of an appropriate charge and requiring suitable indemnity.
- (13) To negotiate agreements for advertising on car park tickets on terms and conditions as he considers appropriate.
- (14) To request information as to the identity of a driver of a vehicle where there is an alleged offence committed in relation to a Car Park Order or Traffic Regulation Order pursuant to Section 112 of the Road Traffic Regulation Act 1984.
- (15) To authorise persons to act as Civil Enforcement Officers (Parking Attendants) under the Traffic Management Act 2004 and S63A of the Road Traffic Regulation Act 1984 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.
- (16) To instruct bailiffs in connection with the recovery of unpaid parking debts.
- (17) To determine if a penalty charge debt is uncollectible and to write off such debts.
- (18) To discharge the functions given under the Traffic Management Agency Agreement including the making and confirmation as appropriate of temporary and permanent Traffic Regulation Orders.
- (19) In consultation with the Planning Portfolio Holder to consider objections to Traffic Regulation Orders and decide whether the Order be made/confirmed.
- (20) 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.
- (21) To operate the HCC/TVBC Agency Agreement for the enforcement of parking control.
- (22) In consultation with the Head of Community and Leisure Services, to set an appropriate maximum duration of stay for non-permit holders using the Sports Centre Car Park.

- (23) 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.
- (24) Renumbering of houses and the naming and renaming of streets in accordance with the Council's policy.
- (25) The appointment of CDM Co-ordinators in respect of projects for which he/she is responsible.
- (26)
  - (i) To determine all matters relevant to the publication and designation 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 Consultation response and thereafter secure the publication of the Neighbourhood Plan proposal.
  - (iii) In consultation with the Planning Portfolio Holder to provide the Local Authority's further response and to appoint a person to carry out an examination of the Neighbourhood Plan and thereafter to submit the plan for examination pursuant to the Regulations.
  - (iv) In consultation with the Planning Portfolio Holder to make changes of a typographical and presentational nature to the Neighbourhood Planning guidance note.
- (27) 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, Residual Community Charge, Housing and Council Tax Benefits and Council Tax Support excepting such matters as are expressly reserved by legislation for the Council to determine.
- (2) To approve in consultation with the Finance Portfolio Holder, Discretionary Rate Relief in accordance with Minute 337 Executive 28 November 2007.
- (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 enhancements to Housing Benefit and discretionary housing payments.
- (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) To set the Council Tax Base for the Test Valley area in consultation with the Head of Finance.
- (15) That the following post holders are 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 S223 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
  - 50361539 Assistant Local Taxation Manager
  - 50361536 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.
- (19) In consultation with the Finance Portfolio Holder to award rate relief in respect of empty newly built commercial property under S47 Local Government Finance Act 1988.