

## **Delegation to Head of ~~Estates and Economic Development~~ Property and Asset Management**

- (1) To enter into licences for the assignment of leases and for sub-letting or under letting.\*
- (2) To grant consent for the change of use of Council premises where such consent is necessary under the provisions of the lease and appropriate.\*
- (3) In consultation with the Head of Finance, to authorise the lettings of Council property where the rent does not exceed £150,000 per annum.\*
- (4) To authorise rent reviews and renewals of leases.
- (5) To be responsible for all aspects of overall Estate Management in relation to Council-owned properties, including the authorisation of proceedings against Council tenants for rent arrears or any other breach of lease covenants including forfeiture.
- (6) To be responsible for conducting negotiations on the Council's behalf in relation to the sale or acquisition of any property.
- (7) To select tenants for the Walworth Enterprise Centre and to grant them licences to occupy and to terminate their occupations if they do not prove suitable and to manage the Centre including contract cleaning, repairs/maintenance/alteration up to a value laid down by the Council from time to time, and the collection of rent/rate and gas/electricity bills.
- (8) To grant consent for alterations and additions to premises to tenants of Council sites and buildings.\*
- (9) To authorise variations to the terms of leases, licences, easements, wayleaves, covenants, acceptance of surrenders and any other legal arrangement where the consideration for the variation does not exceed £50,000.00 per annum or a premium payment of £150,000.00 and where the Council's economic or financial interest is not harmed or disadvantaged.\*
- (10) To give approval to applications from firms on the industrial estates to sublet, for periods of 21 years or less, small parts of their sites to electricity suppliers for substation sites to serve the firm's premises.
- (11) To agree the siting of electricity substations and gas governors with the appropriate authorities subject to the usual rent terms and, if necessary, contributions payable either in respect of screening and/or fencing, and to grant the relevant leases.
- (12) To sell sites to electricity suppliers for use as electricity substation sites.
- (13) To grant wayleaves to statutory undertakers and other third parties over and under land owned by the Council.\*
- (14) To invite and accept tenders and negotiate suitable terms for the temporary use of any suitable area of land for hay crops and arable land and grant suitable short term licences and Farm Business Tenancies.
- (15) To review mowing, grazing licences, agricultural tenancies and farm business

tenancies for further temporary periods.

- (16) To grant easements in, over or through Council land on terms to be agreed by the officers subject to consultation with other departments where appropriate.\*
- (17) To let market pitches (save those administered by the Head of Community and Leisure) in accordance with the Council's policy, and the administration of markets, including the application process, setting of fees and granting of concessions, and the termination and determination of the conditions to be attached to lettings.
- (18) To serve Notice to Quit on market stallholders if they are not conforming with the terms of their Agreement.
- (19) To be the Authorised Market Officer for the purposes of the Food and Environment Act 1985 and any statutory enactment and to be responsible for all aspects of administering markets in Andover.
- (20) In consultation with the Finance Portfolio Holder and the Head of Finance, to dispose of land where the consideration is £75,000.00 or less.\*

~~(21) In consultation with Economic Development and Tourism Portfolio Holder and the Head of Finance, to have authority to issue Business Incentive Grants of £500 each to qualifying persons.~~

~~(22)~~(21) In consultation with the Finance Portfolio Holder and the Head of Finance, to authorise the acquisition or taking the letting of land and/or premises subject to the purchase price or annual rent per annum not exceeding £75,000.00.

~~(23)~~(22) To grant licences for temporary/short-term works on Council-owned land.\*

\* In the case of delegations (1), (2), (3), (8), (9), (13), (16), (20), and (23) above, any transaction involving the possible installation of one or more telecommunications masts and/or associated ancillary equipment on Council-owned land or buildings shall be referred to the Council's Cabinet for consideration and approval.

~~(24)~~(23) In consultation with the Head of Finance, to approve appropriations between relevant function areas and statutory holding powers, except where public notice of the proposed appropriation is required and objections are received.

~~(25)~~(24) To exercise the powers and duties of the Council under the Landlord and Tenant (Covenants) Act 1995.

~~(26)~~(25) In consultation with the Head of Legal and Democratic Services, to approve occupation of Council-owned premises by a third party in the absence of completed formal documentation in cases of emergency.

~~(27)~~(26) Subject to the Council's Financial Regulations and Contract Standing Orders, to be responsible for the appointment of external consultants to advise and/or act for the Council in negotiations and/or transactions relating to any of the above matters.

~~(28)~~(27) In consultation with the Head of Planning and Building Services, to give consent to advertise on Council-owned property on such terms as he/she considers appropriate provided there is no cost to the Council and that the Head of Planning and Building Services be consulted before any advertisement is displayed by the Council.

(29) In consultation with the Head of Community and Leisure Services, to issue

licences for temporary buildings.

- (30) To permit the display of banners on Council buildings.
- (31) To let the Crosfield Hall, Romsey; Rendezvous, Andover; Upper Guildhall, Andover; and meeting rooms at Beech Hurst, Andover in accordance with the Council's booking policy.
- (32) In conjunction with the Human Resources Manager, to employ Premises Management staff on appropriate contracts up to a maximum of 2600 hours per annum in the north and 3000 hours per annum in the south.
- (33) To approve monuments and statues on highway land, after appropriate consultations and subject to the approval of the Highway Authority.
- (34) ~~Day-to-day control and management of Council tourism facilities and associated activities and events provided by the Council.~~
- (35) To buy electric, gas and water from the most competitive provider for the sites we own and operate.
- (36) ~~In consultation with the Economic Development and Tourism Portfolio Holder, to award grants from the £500,000 Section 106 contribution obtained from the developer of Andover Business Park.~~
- (37) In consultation with a panel of Members (appointed by Council, consisting of 5 Members, with a quorum of 3 Members for each decision), to consider property investments and authorise expenditure from a pre-approved capital budget allocation.
- (38) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Head of Estates and Economic Development from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto, as set out in the:
  - Planning (Listed Building and Conservation Areas) Act 1990
  - Town and Country Planning Act 1990
  - 50361073 Engineering and Transport Manager
  - 50361127 Senior Transport Engineer
  - 50361129 Transport Engineer
  - 50361130 Transport Engineer
- (39) To implement transport capital programmes.
- (40) General day-to-day operation of the Transport Services.
- (41) To install refuse or storage bins in streets under Section 185 of the Highways Act 1980.
- (42) To appoint consultants to undertake professional services on schemes included in approved capital or revenue estimates.
- (43) To select contractors for invitation to tender for approved schemes including those for principal authorities for which the Council acts as an agent in accordance with the Council's or the principal authority's procedures or Standing Orders as appropriate.
- (44) In consultation with the Head of Legal and Democratic Services, to enter into

Agreements under Section 278 of the Highways Act 1980 with the Highway Authority to allow Test Valley Borough Council Capital Programme schemes on the Highway to be constructed.

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

Regulation Orders and to decide whether the Order, as advertised or with amendments, be made/confirmed.

- (61) In consultation with the Head of Finance, to set the levels of charges for Traffic Regulation Orders with the objective of recovering the costs of making the Order.
- (62) To consider and implement the renumbering of houses and the naming and renaming of streets in accordance with the Council's policy.

## Delegation to Head of Planning Policy and Economic Development

- (1) That the holders of the following posts, and any other person employed or otherwise engaged by the Service and duly authorised in writing by the Chief Executive from time to time, be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto, as set out in the:

Planning (Listed Building and Conservation Areas) Act 1990

Town and Country Planning Act 1990

50361050 Head of Planning Policy and Economic Development

50361056 Principal Planning Officer (Delivery)

50361059 Principal Planning Officer (Strategy)

50361062 Senior Planning Officer

50361061 Planning Officer

50361055 Transport Planner

- (1) In consultation with the Economic Development and Tourism Portfolio Holder and Planning Portfolio Holder, to apply for other Community Transport Schemes to be encompassed within the Concessionary Travel Scheme including Dial-a-Ride Service.
- (2) 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”).
- (3) 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.
- (4) In consultation with the Planning Portfolio Holder, to provide the Local Planning 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.
- (5) To monitor and review the Council’s commitments under the Climate Local Scheme.
- (6) In consultation with the 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.
- (7) Day-to-day control and management of Council tourism facilities and associated activities and events provided by the Council.
- (7)(8) 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.