

# **FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL**

## **PROVISIONS RELATING TO DELEGATIONS TO OFFICERS FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE COUNCIL**

- (a) Without prejudice to the specific delegations to any officer, the Chief Executive and Executive Heads, or Chief Planning Officer are hereby authorised to make such decisions and initiate such actions as they may deem necessary in the interests of the Council's functions and services.
- (b) Delegation to officers shall be without prejudice to the rights and powers of the Council, Committee, or any Sub-Committee of a Committee at any time to decide upon any matter.
- (c) In exercising powers, officers:-
  - (i) shall comply with the Standing Orders and Financial Regulations of the Council;
  - (ii) may authorise expenditure only in accordance with approved estimates which does not require a loan sanction or approval which has not been authorised or received;
  - (iii) shall comply with approved policies, schemes or directions, where they exist; of the Council or any of its Committees; and
  - (iv) shall consult with the appropriate professional or technical officer of the Council.
- (d) Delegated powers of the Chief Executive, or Executive Heads, or Chief Planning Officer may be exercised on his or her behalf by any officer authorised by him or her generally or specifically for the purpose.
- (e) Delegated powers of the Executive Heads, or Chief Planning Officer may be exercised by the Chief Executive in the event of his or her absence

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- (f) Delegated powers of any officer:
  - (i) below the level of Service Manager may be exercised by a Service Manager, or by an Executive Head, or Chief Planning Officer or the Chief Executive;
  - (ii) at the level of Service Manager may be exercised by an Executive Head, or Chief Planning Officer or by the Chief Executive;
- (g) The Executive Head of Governance and Regulation may amend any of these delegations to take account of new legislation, amendments to staffing structures, job titles or appointments.
- (h) Those delegations of powers to officers where operational, administrative or legislative changes make the delegation redundant may be deleted
- (i) That where it does not already specify, each delegation also includes any subsequent amendments and re-enactments of legislation in respect of the original delegation already authorised

## FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

No	Source	Power Delegated	Delegated	Minute Reference
Council 1	Local Government Act 1972 s.101	To agree any term, condition and provision within any legal documentation to protect the interests of the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council 2	Local Government Act 1972 s.101	To settle terms for transactions for freehold acquisitions and disposals of land and for the grant or acquisition of leasehold interests and/or licences in land to a maximum value of £30,000	Executive Head, or Chief Planning Officer, or Service Manager, or Estates and Valuation Manager	Council 34 of 17/10/16
Council 3	Local Government Act 1972 s.101	To approve planned overtime working and planned overtime payments to officers in receipt of a basic salary above spinal column point 33 under the Local Conditions of Service	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 4	Local Government Act 1972 s.101	(i) Issue corporate charge cards to Executive Head, or Chief Planning Officers, Service Managers and other Officers	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

No	Source	Power Delegated	Delegated	Minute Reference
		(ii) And to administer the scheme and determine the detailed operating arrangements	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 5	Local Government Act 1972 s.101	To administer the employees' car loans scheme as approved from time to time	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 6	Local Government Act 1972 s.101	To waive requirements that car loans are renewable only at intervals of two years under the Assisted Car Purchase Scheme	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 7	Local Government Act 1972 s.101	<p>To:</p> <p>(i) grant leave concessions</p> <p>(ii) extend an employee's period of sick leave entitlement for a period not exceeding six months (three months at any one time) provided that there appears to be reason to consider that the employee will return to work at the end of the extended period</p>	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with Service Manager	Council 34 of 17/10/16

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No	Source	Power Delegated	Delegated	Minute Reference
Council 8	Local Government Act 1972 s.101	To dismiss an employee in the probationary period if the employee fails to meet the performance standards required	Chief Executive, or Executive Head, or Chief Planning Officer, Service Manager, or other authorised officer on Band 7 and above in consultation with Service Manager and the appropriate Employees' Side representatives	Council 34 of 17/10/16
Council 9	Local Government Act 1972 s.101	To undertake disciplinary action within the approved procedure up to and including dismissal for all employees except the Chief Executive, Executive Head, or Chief Planning Officers, Monitoring Officer and s.151 Financial Officer	Those authorised to act within the disciplinary procedure	Council 34 of 17/10/16
		Service Managers	Chief Executive, or Executive Head, or Chief Planning Officer	
		Employees on Band 9, or Band 10 who are not Service Managers	Chief Executive, or Executive Head, or Chief Planning Officer	
		All other employees	Service Manager, or Senior Manager on Band 9 or above	

## FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

No	Source	Power Delegated	Delegated	Minute Reference
Council 10	Local Government Pension Scheme Regulations 1997	To approve the retirement of employees on grounds of permanent ill-health or incapacity of mind or body	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with Service Manager and Employees' Side representatives	Council 34 of 17/10/16
Council 11	Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000	To approve the early payment of pension benefits for redundancies and terminations of employment in the interest of the efficiency of the service for all officers except the Chief Executive, Executive Head, or Chief Planning Officers, Monitoring Officer and s.151 Financial Officer; subject to a business case involving payback within 3 years, unless the Chief Executive in consultation with the Leader of the Council and the Finance Corporate Services and Improvement Portfolio Holder and other relevant portfolio holder(s) agree otherwise	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with Service Manager, and Employees' Side representatives	Council 34 of 17/10/16

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No	Source	Power Delegated	Delegated	Minute Reference
Council 12	Local Government Act 1972 s.101	To approve negotiated settlements under a compromise agreement to mutually agree a termination of employment and avoid legal action against the Council, subject to a business case	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with Service Manager. An Employees' Side representative will also be consulted unless the employee requests not to do so	Council 34 of 17/10/16
Council 13	Local Government Pension Scheme Regulations 1997	To approve the voluntary early retirement of employees aged 55- 65 years for all officers except the Chief Executive, Executive Head, or Chief Planning Officers, Monitoring officer and s.151 Financial Officer subject to a business case involving a payback within 3 years, unless the Chief Executive in consultation with the Leader of the Council and the Finance, Corporate Services and Improvement Portfolio Holder and other relevant portfolio holder(s) agree otherwise	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with S151 Officer, Service Manager and Employees' Side representatives (subject to prior notification to the Leader of the Council for Officers at Service Manager level and above under Standing Orders for General Procedures)	Council 34 of 17/10/16
Council 14	Local Government Pension Scheme Regulations 1997	To decide any question arising under Regulations 99-105 of the Local Government	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16

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No	Source	Power Delegated	Delegated	Minute Reference
		Superannuation Pension Regulations 1997 (Resolution of disputes)		
Council 15	Local Government Pension Scheme Regulations 1997	To approve applications from employees who have opted out of the Local Government Pension Scheme more than once to rejoin	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 16	Local Government Pension Scheme Regulations 1997	To extend the period within which an employee can elect to pay optional pension contributions after a period of absence	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 17	Local Government Pension Scheme Regulations 1997	To extend the period within which a pension scheme member can decide to convert in-house additional voluntary contributions to service credit in the Local Government Pension Scheme	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 18	Local Government Act 1972 s.101	To make minor amendments to the submitted Local Development Documents, for the purpose of clarification before or	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16



## FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

No	Source	Power Delegated	Delegated	Minute Reference
		during the independent examination		
Council 19	Planning and Compulsory Purchase Act 2004 s.32	To decide if representations fall within the definitions of representations that may be disregarded	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
Council 20	Local Government Act 2000 s.92	To approve the payment of local settlements where there is, or may be, maladministration, and the person has been or may have been disadvantaged	Chief Executive, or Monitoring Officer	Council 34 of 17/10/16
Council 21	Freedom of Information Act 2000 s.19	To amend the Council's publication scheme	Executive Head, or Chief Planning Officer, or S151 Officer, or Service Manager	Council 34 of 17/10/16
Council 22	Local Government Act 1972 s.101	To sign on behalf of the Council any order or document necessary to bring into effect any decision of the full Council or of a Committee	Chief Executive or, Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council 23	Local Government Act 1972 s.101 and s.222 Local Government Act 1972 s.101	To institute, defend, conduct and settle legal proceedings on behalf of the Council in respect of the functions of the Council which are	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

No	Source	Power Delegated	Delegated	Minute Reference
		not a Cabinet responsibility		
Council 24	Local Government Act 1972 s.101 Local Government (Miscellaneous Provisions) Act 1976 s.16	To require information as to interests in land	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council 25	Local Government Act 1972 s.101	To determine management and employee structures below the level of Executive Head, or Chief Planning Officer, subject to a business case	Executive Head, or Chief Planning Officer, in consultation with Service Manager, and Portfolio Holder and opposition spokesman	Council 34 of 17/10/16
Council 26	Local Government Act 1972 s.101	To agree temporary posts within budget	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
Council 27	Local Government Act 1972 s.101	To appoint a person to a post without advertisement	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with the Service Manager and Employees' Side representatives	Council 34 of 17/10/16
Council 28	Local Government Act 1972 s.101	To appoint employees within the approved establishment except	Chief Executive, or Executive Head, or Chief Planning Officer, or	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

No	Source	Power Delegated	Delegated	Minute Reference
		the Chief Executive, Executive Head, or Chief Planning Officers, Monitoring Officer and s.151 Financial Officer	Service Manager	
Council 29	Local Government Act 1972 s.101	To adjust the maximum car loan, relocation expenses and students' subsistence allowances having regard to movements in the appropriate retail price index	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council 30	Local Government Act 1972 s.101	To make all job offers, and approve contracts of employment or variations to contracts.  Remarks: Appointment of Chief Officers and Deputy Chief Officers is governed by Standing Orders for General Procedures. Appointment of all other officers is governed by Chapter 28 of the Constitution	Chief Executive, or Executive Head, or Chief Planning Officer, or for contracts below Service Manager level, the appropriate Service Manager	Council 34 of 17/10/16
Council 31	Local Government Act 1972 s.101	(i) To agree suitable arrangements to recognise any	Chief Executive, or Executive Head, or Chief Planning Officer, in	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

No	Source	Power Delegated	Delegated	Minute Reference
		employee who completes a recognised period of continuous service	consultation with the Chairman of the Council and the relevant Portfolio Holder	
		(ii) To disregard a short break, in appropriate circumstances, when calculating long service Remarks: For example, parental maternity breaks	Chief Executive, or Executive Head, or Chief Planning Officer in consultation with the Service Manager, and Payroll Manager	
Council 32	Local Government Act 1972 s.101	To take appropriate action to defend and represent the Council with regard to any Employment Tribunal or other employment related legal matter	Executive Head, or Chief Planning Officer, in consultation with the Chief Executive, and Service Manager	Council 34 of 17/10/16
Council 33	Local Government Act 1972 s.101	(i) To pay bonus to employees under an approved incentive scheme	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
		(ii) To grant honorariums to employees in line with Council's policy	Chief Executive, or Executive Head, or Chief Planning Officer	
Council 34	Local Government	(i) To approve salary	Chief Executive, or Executive	Council

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No	Source	Power Delegated	Delegated	Minute Reference
	Act 1972 s.101	advancement other than annual increments for all employees below Executive Director level within an approved salary band	Head, or Chief Planning Officer	34 of 17/10/16
		(ii) To approve salary advancement other than annual increments for Executive Directors within an approved salary band	Chief Executive, in consultation with the Portfolio Holder responsible for Human Resources	
		(iii) To withhold annual incremental advancement due to poor performance	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager	
Council 35	Local Government Finance Act 1992, The Council Tax Reduction Schemes (Default Schemes) (England) Regulations 2012 and other relevant legislation, together with any subsequent	Insofar as it is a Council function and responsibility, to take all decisions and to carry out all functions in relation to the Council Tax Reduction Scheme	Executive Head, or Chief Planning Officer, or Service Manager, or Benefits Manager	Council 34 of 17/10/16

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No	Source	Power Delegated	Delegated	Minute Reference
	amendments and re-enactments			
Council 36	Localism Act 2011	To grant dispensations to participate when the Councillor has an interest.	Monitoring Officer	Council 34 of 17/10/16
Council 37	Health Act 2006, Part 1, Chapter 1, paras 1-12 and Schedules 1 and 2 Smoke Free (Premises and Enforcement) Regulations 2006 Smoke Free (Exemptions and Vehicles) Regulations 2007 Smoke Free (Penalties and Discounted Amounts) Regulations 2007 Smoke Free (Vehicle Operators and Penalty Notices) Regulations 2007 Smoke Free Signs Regulations 2012 Smoke-free (Private Vehicles) Regulations	To take all necessary action	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officers; or Environmental Health Technician, or Housing Strategic Services Manager, or Housing Grants and Improvement Manager, or Building Surveyors (Improvement)	Council 34 of 17/10/16

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No	Source	Power Delegated	Delegated	Minute Reference
	2015 and any replacement legislation			
Council 38	Local Government Act 1972	To enter into contracts (contract signing): £0 - £ Unlimited £0 - £1,000,000 £0 - £10,000 £0 - £50,000 (Goods/Services only)	Member of EMT Service Manager Budget Responsible Officer Strategic Procurement Manager	Council 34 of 17/10/16 53 of 26/2/18
Council 39	Local Government Act 1972	To nominate officers to carry out all roles defined in a contract	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16

**FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET**  
**DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL**  
**PROPER OFFICE APPOINTMENTS**

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
Council P1	Local Government and Housing Act 1989 s.4	To be the "Head of the Paid Service"	Chief Executive	Council 34 of 17/10/16
Council P2	Local Government and Housing Act 1989 s.5	To be the "Monitoring Officer"	Executive Head, or Chief Planning Officer of Governance and Regulation	Council 34 of 17/10/16
Council P3	Local Government Act 1972 s.151 as amended by Local Government Finance Act 1988 s.114 and Local Government and Housing Act 1989 s.139 and Schedule 5 Local Government Act 1972 s.101	To be the officer responsible for financial administration	Alan Bethune or, in his absence, Kevin Green	Council 34 of 17/10/16
Council P4	Local Government Act 1972 s.229(5)	To certify a photocopy of a document in the custody of the Council to enable it to be used in	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16



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**PROPER OFFICE APPOINTMENTS**

No	Source	Power Delegated	Delegated to	Minute Reference
		legal proceedings instead of the original		
Council P5	Local Government Act 1972 Schedule 14 Para 25/7 or Local Government (Misc Provisions) Act 1976 – s.41	To certify a copy resolution, order, report or minutes as a true copy and evidence in legal proceedings	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council P6	Local Government Act 1972 s.234(1)&(2)	To sign formal notices, orders or other documents which the Council are authorised or required to do by or under any enactment	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council P7	Local Government Act 1972 s.101	To attest the common seal of the Council	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council P8	Local Government Act 1972 s.101	To act in all appropriate cases in the event of the “Proper Officer” and designated deputy being	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16

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**PROPER OFFICE APPOINTMENTS**

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
		absent or otherwise unable to act		
Council P9	Local Government Act 1972 s.101 Police Act 1997 Part V	To be the lead signatory for the purpose of registration with the Criminal Records Bureau	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P10	Local Government Act 1972 s.101 Police Act 1997 Part V	To be the countersignatories for the purpose of registration with the Criminal Records Bureau	Executive Head, or Chief Planning Officer, or Service Manager, or Senior Human Resources Advisor, or Human Resources Administrator, or Administration Section Manager, or Group Administration Manager (Operations)	Council 34 of 17/10/16
Council P11	Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000	To be the Proper Officer for all purposes within the Regulations	Chief Executive	Council 34 of 17/10/16

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**PROPER OFFICE APPOINTMENTS**

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
Council P12	Local Authorities (Standing Orders) (England) Regulations 2001 Sch. 1	To notify the Executive of proposed appointments to and dismissal from Senior posts	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P13	Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000 The Local Authority (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 The Openness of Local Government Bodies Regulations 2014	To be the "Proper Officer" for the purposes of the Regulations	Chief Executive, Monitoring Officer	Council 34 of 17/10/16

# FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET

## DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

### PROPER OFFICE APPOINTMENTS

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
Council P14	Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000 The Local Authority (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 The Openness of Local Government Bodies Regulations 2014	To be "Proper Officers" for the purposes of Regulations 6 and 9(4) of the Regulations 2000	Chief Executive, Executive Head, or Chief Planning Officer, Service, Group Administration Manager (Operations)	Council 34 of 17/10/16
Council P15	Local Government Act 1972 s.101	Appointment as Proper Officer for the purpose of environmental health functions	Service Manager	Council 34 of 17/10/16

**FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET**

**DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL**

**PROPER OFFICE APPOINTMENTS**

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
Council P16	The Health Protection (Notification) Regulations 2010 Regs 2, 3 and 6	The receipt and disclosure of notifiable suspected disease, infection or contamination in patients and dead persons.	A Consultant in Communicable Disease Control or Health Protection employed by Public Health England South East	Council 34 of 17/10/16
Council P17	Public Health (Control of Disease) Act 1984, S48 as amended by Health and Social Care Act 2008	To seek an Order from a Justice of the Peace for removal of a body to a mortuary and burial within a prescribed time or immediately	A Consultant in Communicable Disease Control or Health Protection employed by Public Health England South East	Council 34 of 17/10/16
Council P18	National Assistance Act 1948 s.47(2)	Appointment as Proper Officer for the purpose of S.47(2) of the Act	Executive Head, or Chief Planning Officer, Service Manager	Council 34 of 17/10/16
Council P19	Local Government Act 1972 s.100B, 100C and 100F	To be the "Proper Officer" for the purposes of the Act	Chief Executive, Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P20	Local Government Act 1972 s.100D	To be "Proper Officers" for the purposes of Section 100D(1)(a) and 100D(5)(a) of the Local Government Act 1972	Chief Executive, Executive Head, or Chief Planning Officer, Service Manager	Council 34 of 17/10/16

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**DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL**  
**PROPER OFFICE APPOINTMENTS**

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
Council P21	Local Government and Housing Act 1989	To be the "Proper Officer" for the purposes of the Act	Chief Executive, Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P22	Local Government Act 1972 s.83	To witness and receive declarations of acceptance of office by Chairmen, Vice-Chairmen and councillors	Chief Executive or, in his or her absence, Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
Council P23	Local Government Act 1972 s.84	To receive written notice of resignation by Chairmen, Vice-Chairmen and Councillors	Chief Executive or, in his or her absence, Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
Council P24	Local Government Act 1972 s.88(2)	To convene meetings of the Council to fill a vacancy in the office of Chairman of the Council (where such a casual vacancy occurs)	Chief Executive or, in his or her absence, Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16

# FUNCTIONS WHICH ARE NOT THE RESPONSIBILITY OF THE CABINET

## DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

### PROPER OFFICE APPOINTMENTS

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
Council P25	Local Government Act 1972 s.89(1)	To receive notice from electors requiring an election to fill a casual vacancy on the Council	Chief Executive	Council 34 of 17/10/16
Council P26	Local Government Act 1972 s.96	To receive notices of interest by Councillors and to keep records of disclosures of interest	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P27	Local Government Act 1972 s.115(2)	To be the person to whom all officers shall pay moneys received by them and due to the local authority	S151 Officer	Council 34 of 17/10/16
Council P28	Local Government Act 1972 s.146	To make declarations and to issue certificates in connection with the holding or transfer of securities held by the Council or the payment of dividend or interest	S151 Officer	Council 34 of 17/10/16
Council P29	Local Government Act 1972 s.191(2)	To receive notices from Ordnance Survey in relation to ascertaining or locating local authority boundaries	Chief Executive	Council 34 of 17/10/16

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## DELEGATIONS TO OFFICERS DIRECT FROM THE COUNCIL

### PROPER OFFICE APPOINTMENTS

No	Source	Power Delegated	Delegated to	Minute Reference
Council P30	Local Government Act 1972 s.210(6)&(7)	To exercise any charity functions exercised by officers of the "old" local authority whenever there is no "holder of a corresponding office" in the "new" local authority	Chief Executive	Council 34 of 17/10/16
Council P31	Local Government Act 1972 s.225	To receive and give receipt for any document required to be formally deposited with the Council	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council P32	Local Government Act 1972 s.238	To sign the certificate or any printed copy of byelaws authenticating such print as a true copy	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
Council P33	Local Government Act 1972 s.101	To be the "Proper Officers" in relation to any reference in any enactment passed before or during the 1971/72 Session of Parliament or in any instrument made before 26 October 1972	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16



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<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
Council P34	Management of Health and Safety at Work Regulations 1999 Reg. 7(1)	To be the 'competent person' for the purpose of Health and Safety for the Council as an employer	Corporate Health and Safety Advisor	Council 34 of 17/10/16
Council P35	Housing Act 1985 (as amended)	Appointment as "Proper Officer" for the purposes of the Act	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P36	Rent Act 1977	Appointment as "Proper Officer" for the purposes of the Act	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P37	Housing Act 2004 s.4	To be the Proper Officer to whom any official complaint about the condition of residential premises must be made	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
Council P38	Housing Act 2004 s.239	To be Proper Officer for determining if a survey or examination is necessary	Service Manager, or Housing Technical Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 1	Gambling Act 2005 s.304	To be authorised persons for the purposes of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer	Council 34 of 17/10/16
G P & L 2	Gambling Act 2005 s.284	To make an order disapplying section 279 or 282(1) to specified premises where the licensee does not request a hearing	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 3	Gambling Act 2005 s.342	To do anything he or she thinks expedient for the purpose of cancelling, terminating or varying the effect of a decision which was taken in reliance upon false or misleading information	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 4	Gambling Act 2005 s.346	To institute criminal proceedings in respect of an offence under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
G P & L 5	Gambling Act 2005 Sch 10(8)	To grant an application for a family entertainment centre gaming machine permit	Licensing Manager, or Service Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 6	Gambling Act 2005 Sch 10(8)	To refuse an application for a family entertainment centre gaming machine permit after giving the applicant the opportunity to make representations	Licensing Manager, or Service Manager	Council 34 of 17/10/16
G P & L 7	Gambling Act 2005 Sch 10(18)	To grant an application for renewal of a family entertainment centre gaming machine licence	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 8	Gambling Act 2005 Sch 10(18)	To refuse an application for renewal of a family entertainment centre gaming machine licence	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 9	Gambling Act 2005 Sch 10(21)	To grant or refuse an application for a copy of a family entertainment centre gaming machine licence	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 10	Gambling Act 2005 Sch 10(21)(4)	To certify a copy of a family entertainment centre gaming machine licence as a true copy	Service Manager, or Licensing Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 11	Gambling Act 2005 Sch 11(40)	To consider whether a lottery to which a statement under paragraph 39 of Schedule 11 relates was a large lottery, and to notify the Gambling Commission if necessary	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 12	Gambling Act 2005 Sch 11(48)	To refuse an application for registration of an exempt lottery after giving the applicant the opportunity to make representations	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 13	Gambling Act 2005 Sch 11(50)	To revoke a registration under Part 5 of Schedule 11 after giving the registered society an opportunity to make representations	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 14	Gambling Act 2005 Sch 11(54)	To decide whether to cancel a society's registration under Part 5 of Schedule 11 because the annual registration fee has not been paid	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 15	Gambling Act 2005 Sch 12(5) and (10)	To grant an application for a club gaming or club machine permit	Service Manager, or Licensing Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 16	Gambling Act 2005 Sch 12(5) and (10)	To refuse an application for a club gaming or club machine permit	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 17	Gambling Act 2005 Sch 12(15)	To refuse an application for variation of a club gaming permit or club machine permit and to cancel the permit if he or she considers that he or she would refuse the application for the permit were it made anew	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 18	Gambling Act 2005 Sch 12(16), Sch 13(11) and Sch 14 (21)	To grant an application for a copy of a club gaming or club machine permit, a licensed premises gaming machine permit, or a prize gaming permit	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 19	Gambling Act 2005 Sch 12(16), Sch 13(11) and Sch 14 (21)	To certify a copy of a club gaming or club machine permit, a licensed premises gaming machine permit or a prize gaming permit as a true copy	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 20	Gambling Act 2005 Sch 13(4)	To grant or refuse an application for a licensed premises gaming machine permit	Service Manager, or Licensing Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 21	Gambling Act 2005 Sch 13(16)	To cancel a licensed premises gaming machine permit where the holder fails to pay an annual fee	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 22	Gambling Act 2005 Sch 13(19)	To grant an application for the transfer of a licensed premises gaming machine permit	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 23	Gambling Act 2005 Sch 13 (19)(4)	To refuse an application for the transfer of a licensed premises gaming machine permit because the transfer of the on-premises alcohol licence has not been approved	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 24	Gambling Act 2005 Sch 14(9)	To grant an application for a prize gaming permit	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 25	Gambling Act 2005 Sch 14(9)	To refuse an application for a prize gaming permit after giving the applicant the opportunity to make representations	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 26	Gambling Act 2005 Sch 14(18)	To grant an application for renewal of a prize gaming permit	Service Manager, or Licensing Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 27	Gambling Act 2005 Sch 14(18)	To refuse an application for renewal of a prize gaming permit after giving the applicant the opportunity to make representations	Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 28	Gambling Act 2005 s.157	To carry out the licensing authority's functions as a responsible authority under section 157(a) of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 29	Gambling Act 2005 s.156 (2), 234(2), Sch 10 para 23(2), Sch 11 para 55(2), Sch 12 para 26(2), Sch 13 para 22(2), Sch 14 para 23(2)	To refuse to provide a copy of an entry or information on the ground that the person seeking it has not paid a reasonable fee specified by the authority	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 30	Gambling Act 2005 s. 163	To grant an application for a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 31	Gambling Act 2005 s. 163	To reject an application for a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Compliance Officer , or Licensing Assistant	
G P & L 32	Gambling Act 2005 s. 186(4)	To make such alterations to the information contained in a premises licence as appears to him to be required by a change of circumstance	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 33	Gambling Act 2005 s. 186(5)	To issue a copy of a premises licence in a form which appears to him to reflect a change in circumstance	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 34	Gambling Act 2005 s.187	To grant an application for variation of a premises licence and to make transitional provision if he considers it appropriate	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 35	Gambling Act 2005 s.188	To grant an application for transfer of a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16



## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 36	Gambling Act 2005 s.188	To refuse an application for transfer of a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 37	Gambling Act 2005 s.189	To decide whether to disapply section 188(3)(b) where the applicant has failed to contact the licensee	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 38	Gambling Act 2005 s.190	To grant or refuse an application for a copy of a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 39	Gambling Act 2005 s.190(4)	To certify a copy of a premises licence or a summary of a premises licence as a true copy	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 40	Gambling Act 2005 s.193	To revoke a premises licence where the annual fee is not paid	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Compliance Officer , or Licensing Assistant	
G P & L 41	Gambling Act 2005 s.195	To reinstate a lapsed premises licence and to make such alteration of the licence as appears to him to be required	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 42	Gambling Act 2005 s.199	To grant an application for review of a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 43	Gambling Act 2005 s.200	To initiate a review in relation to a premises licence or a review of any matter connected with the use of premises in reliance on a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 44	Gambling Act 2005 s.204	To grant an application for a provisional statement	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 45	Gambling Act 2005 s.204	To reject an application for a provisional statement	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 46	Gambling Act 2005 s.205	To grant an application for a premises licence where a provisional statement has been issued	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 47	Gambling Act 2005 s.205	To refuse an application for a premises licence where a provisional statement has been issued	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 48	Gambling Act 2005 s.205(2)	To disregard representations made in relation to an application for a premises licence where a provisional statement has been issued and he does not consider the representations address matters that could not have been addressed in representations in relation to the application for the provisional statement or reflect a	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		change in the applicant's circumstances		
G P & L 49	Gambling Act 2005 s.221	To give notice of objection to a temporary use notice	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 50	Gambling Act 2005 s.222(3)	To decide whether representations about a notice of objection to a temporary use notice shall be determined without a hearing	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 51	Police, Factories etc (Miscellaneous Provisions) Act 1916 s.5	To determine applications for licences under the Act and to decide whether the results of particular street collections should be advertised	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety)	Council 34 of 17/10/16
G P & L 52	House to House Collections Act 1939 s.2	To determine applications for licences under the Act, subject to his or her being satisfied as to the suitability of the procedure followed by charities in recruiting collectors	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 53	Dangerous Wild Animals Act 1976 Zoo Licensing Act 1981	To appoint a veterinary surgeon or veterinary practitioner, or other suitable qualified inspector to enter premises on behalf of the Council for the purposes of the Act	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16 GP&L 18 of 16/11/18
G P & L 54	Local Government Act 1972 s.101 and s.222	To institute, conduct, defend and settle legal proceedings on behalf of the Council in respect of any of the functions delegated to the Committee	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
G P & L 55	Local Government Miscellaneous Provisions Act 1982, s.4	To exercise all functions under paras 7 and 9 of Schedule 4 in respect of a weekly street market in New Milton	New Milton Town Council	Council 34 of 17/10/16
G P & L 56	Local Government Miscellaneous Provisions Act 1982, s.4	To exercise the District Council's powers within the terms of the Agreement with New Milton Town Council for the running of the street market in New Milton	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with the appropriate Service Manager and Chairman of the Committee	Council 34 of 17/10/16
G P & L 57	Local Government Miscellaneous Provisions Act 1982, s.4	To grant or refuse applications for consent to hold Hampshire Farmers Markets in the designated consent street in Station Road, New Milton	Service Manager, or Employment and Tourism Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 58	Local Government Miscellaneous Provisions Act 1982, s.4	To refuse any applications for consent other than in respect of the approved weekly market operator and/or Hampshire Farmers Market, for the use of the consent street in Station Road, New Milton for the holding of a market	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
G P & L 59	Public Health Acts Amendment Act 1907 s. 94 as amended by Local Government Act 1972, s.180	To amend the licence conditions and inspection arrangements in respect of Pleasure Boats and Boatmen's Licences	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , following consultation with the Chairman of the Committee, and in the light of advice from competent Professional Advisors	Council 34 of 17/10/16
G P & L 60	Public Health Acts Amendment Act 1907 s. 94 as amended by Local Government Act 1972, s.180	To determine applications and issue licences for pleasure boats once satisfied that the vessel is fit for the purpose and the other licence conditions have been met, to include submission of a statement of fitness submitted, in writing, from a person on the Council's list of surveyors and assessors	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 61	Licensing Act 2003 s.13(4)(c)	To carry out the Council's functions as a responsible authority to respond to consultations on health and safety at work on licensing applications	Service Manager	Council 34 of 17/10/16
G P & L 62	Licensing Act 2003 s.13(4)(d)	To carry out the Council's functions as a responsible authority to respond to consultations as a local planning authority on licensing applications.	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer	Council 34 of 17/10/16
G P & L 63	Licensing Act 2003 s.13(2)(a), s.69(2)(a), s.108 and s.135	To be authorised as an officer of the licensing authority for the purposes of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant, or Licensing Assistant	Council 34 of 17/10/16
G P & L 64	Licensing Act 2003 s.18(1)(b), s.31(1)(b), s.35(1)(b), s.72(1)(b) and s.85(1)(b)	To determine whether the applicant has complied with the duty to advertise etc applications and where appropriate has given notice to prescribed persons under the following provisions of the Act:  section 17 (premises licence)	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		section 30 (provisional statement) section 34 (variation of premises licence) section 71 (club premises certificate) section 84 (variation of club premises certificate)		
G P & L 65	Licensing Act 2003 s.96(7)	To determine whether to extend by not more than 7 days the time allowed for carrying out an entry and inspection of a premises under section 96	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 66	Licensing Act 2003 s.18(2)	To grant an application for a premises licence and to impose such conditions as are appropriate under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 67	Licensing Act 2003 s.31(2)	In respect of an application for a provisional statement where no relevant representations are made, to issue the applicant with a statement to that effect	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16



## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 68	Licensing Act 2003 s.35(2)	To grant an application to vary a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 69	Licensing Act 2003 s.39(3)	To grant an application to vary a licence to specify an individual as premises supervisor	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 70	Licensing Act 2003 s.44(2)	To grant an application to transfer a premises licence	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 71	Licensing Act 2003 s.72(2)	To grant an application for a club premises certificate and to impose such conditions as are appropriate under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 72	Licensing Act 2003 s.85(2)	To grant an application to vary a club premises certificate	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Compliance Officer , or Licensing Assistant	
G P & L 73	Licensing Act 2003 s.120	To grant an application for a personal licence where the terms of section 120(2) and (6) require the application to be granted	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 74	Licensing Act 2003 s.121(5)	To grant an application for renewal of a personal licence where no objection notice is given under section 121(3)	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 75	Licensing Act 2003 s.44(3)	To reject an application for transfer of a premises licence where none of the conditions in section 44(4) applies	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 76	Licensing Act 2003 s.120(3)	To reject an application for a personal licence where it appears to him or her that the applicant fails to meet one or more of conditions (a), (b) and (c) in section 120(2)	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 77	Licensing Act 2003 s.18(6), s.31(5), s.35(5), s.72(7) and s.85(5)	To determine whether representations are relevant representations within the meaning of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 78	Licensing Act 2003 s.25, s.79, s.110 and s.126	To issue copies of:  a premises licence or summary; a club premises certificate or summary; a temporary event notice; a personal licence  where he or she is satisfied that the licence, certificate, summary or notice has been lost, stolen, damaged or destroyed and that the holder has reported any loss or theft to the police	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 79	Licensing Act 2003 s.58(1) and s.95(1)	To certify a copy of the following documents as a true copy:  a premises licence; a summary of a premises licence; a club premises certificate; a summary of a club premises certificate	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 80	Licensing Act 2003 s.43(5) and s.44(6)	To decide whether to exempt an applicant for transfer of a premises licence from the	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		requirement to obtain the holder's consent	Manager, or Licensing Compliance Officer , or Licensing Assistant	
G P & L 81	Licensing Act 2003 s.51(4) and 87(4)	To determine whether any ground for review specified in an application for review of a premises licence or a club premises certificate is to be rejected	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 82	Licensing Act 2003 s.56(2)	To require the holder of a premises licence to produce the licence (or the appropriate part) within 14 days, where the licence is required for the purposes of section 56(1)	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 83	Licensing Act 2003 s.93(2)	To require the secretary of a club which is the subject of a club premises certificate to produce the certificate within 14 days, where the certificate is required for the purposes of section 93(1)	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 84	Licensing Act 2003 s.134(4)	To require the holder of a personal licence to produce the licence within 14 days, where the licence is required for the purpose of section 134(1) to (3)	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 85	Licensing Act 2003 s.62(4) and s.63	To determine whether a club is established and conducted in good faith as a club	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 86	Licensing Act 2003 s.82 and s.83	To amend a club premises certificate where notification is received that the name, rules, or relevant registered address of the club has changed	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 87	Licensing Act 2003 s.90(1)	To determine whether a club holding a club premises certificate does not satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 88	Licensing Act 2003 s.101(1)	To determine whether a temporary event notice is void	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 88 (a)	Licensing Act 2003 s.100A	To give a copy of an original temporary event notice to each relevant person	Service Manager, or Licensing Manager, or Licensing Assistant	Council 34 of 17/10/16
G P & L 88 (b)	Licensing Act 2003 s.102	To give written acknowledgement of receipt of a temporary event notice	Service Manager, or Licensing Manager, or Licensing Assistant	Council 34 of 17/10/16
G P & L 88 (c)	Licensing Act 2003 s.104A	To give a counter notice following objection to a late temporary event notice	Service Manager, or Licensing Manager, or Licensing Assistant	Council 34 of 17/10/16
G P & L 88 (d)	Licensing Act 2003 s.105	To give a counter notice, if appropriate for the promotion of the licensing objectives to do so, where all parties agree a hearing is unnecessary	Service Manager, or Licensing Manager, or Licensing Assistant	Council 34 of 17/10/16
G P & L 88 (e)	Licensing Act 2003 s.106A	To carry out the functions of the licensing authority relating to the imposition of conditions on a standard temporary event notice following objection	Service Manager, or Licensing Manager, or Licensing Assistant	Council 34 of 17/10/16
G P & L 89	Licensing Act 2003 s.107(1)	To determine whether to give a counter notice on the ground that the permitted limits in section 107(2), (3) (4) or (5) have been exceeded	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 90	Licensing Act 2003 s.186(2)	On behalf of the authority, to institute proceedings for an offence under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G & P L 100	Hearings Procedure Regs, reg 11(1)	To determine whether to extend the time limits provided in the Regulations for a specified period where he or she considers this to be necessary in the public interest	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant in consultation with Executive Head, or Chief Planning Officer and the Chairman of the Committee	Council 34 of 17/10/16
G P & L 101	Hearings Procedure Regs, reg 31	In the case of an irregularity resulting from failure to comply with the Hearings Procedure Regulations before a determination is made, to consider whether any person may have been prejudiced as a result of the irregularity and to take such steps as he or she thinks fit to cure the irregularity before a determination is reached	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 102	Hearings Procedure Regs, reg 32	To correct a clerical mistake in any document recording a determination of the authority, or errors arising in such a document from an accidental slip or omission	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
G P & L 103	Premises Licences and Club Premises Cert. Regs, reg 23(2) Transitional Provisions Order Reg 3(2) and Reg 8(2)	To confirm that an alternative scale plan is acceptable to accompany an application for a premises licence	Service Manager, Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G & P L 104	Licensing Act 2003 s.10 Licensing Act 2003 (Hearings) Regulations 2005, reg 4 and reg 6	Hearings, once notified to the parties, not to be rearranged to suit the convenience or preference of any of the parties, except in exceptional circumstances at the discretion of the Executive Head, or Chief Planning Officer	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
G P & L 105	Licensing Act 2003	Determination of applications for a minor variation to premises licences and club premises certificates  Decision on whether an application for a minor variation should be referred to a responsible authority	Service Manager, or Licensing Manager	Council 34 of 17/10/16



## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 106	Licensing Act 2003 and any amending legislation	To make representations on behalf of the licensing authority on applications for new, or to vary, premises licences or club premises certificates	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
G P & L 107	Licensing Act 2003 and any amending legislation	To apply, on behalf of the licensing authority, for a review of a premises licence or club premises certificate	Chief Executive, or Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
G P & L 108	Local Government (Miscellaneous Provisions) Act 1976 Part II	To suspend a taxi or private hire vehicle drivers' licence with immediate effect where they are of the opinion that the interests of public safety require such a course of action	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager	Council 34 of 17/10/16
G P & L 109	Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976	To issue Hackney Carriage Drivers' and Private Hire Drivers' Licences and Private Hire Operators' Licences where he or she is satisfied, on the evidence available, that the applicant is a 'fit and proper' person  To refuse applications for Hackney Carriage Drivers' and Private Hire Drivers' Licences and Private Hire Operators Licences where he or she is	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>satisfied that the applicant is not a 'fit and proper person' to hold a licence, but that if any doubt exists the application be referred to the General Purposes and Licensing Committee for determination</p>		
		<p>To suspend a Hackney Carriage, Hackney Carriage Driver's, Private Hire Driver's or Private Hire Operator's Licence when, in the circumstances of the case, he or she is satisfied that such action is warranted</p>		
		<p>To revoke a Hackney Carriage Driver's, Private Hire Driver's or Private Hire Operator's Licence in exceptional circumstances where revocation is considered essential</p>	<p>Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager in consultation with the Chairman and Vice-Chairman of the Committee</p>	
		<p>To suspend a Hackney Carriage or Private Hire vehicle licence where he or she is satisfied that the vehicle has fallen below the safe mechanical standards or is in such a condition that it is not fit for its licensed use</p>	<p>Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager</p>	

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		To arrange more frequent inspections if he or she believes mechanical or maintenance standards to be falling and/or following repairs to an accident damaged vehicle	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	
		At his or her discretion to license Hackney Carriage or Private Hire vehicles over 8 years old where the criteria for such vehicles determined by the Committee have been met	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	
		To approve the position of plates on Hackney Carriage and Private Hire vehicles	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	
		To approve the size, design and content of self-advertising on Hackney Carriages and Private Hire vehicles	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	
		Authority to exempt executive style private hire vehicles used exclusively for the executive	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing	

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		market from the requirement to display a rear vehicle plate	Manager	
		To issue cautions in relation to offences	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	
G P & L 110	Local Government (Miscellaneous Provisions) Act 1976 Part II	To revoke a taxi or private hire vehicle drivers' licence with immediate effect where they are of the opinion that the interests of public safety require such a course of action	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Manager in consultation with the Chairman and Vice-Chairman of the Committee	Council 34 of 17/10/16
G P & L 111	Noise and Statutory Nuisance Act 1993 sch.2	To act on all matters under the Act relating to consents for the operation of loud speakers	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Building Surveyors	Council 34 of 17/10/16
G P & L 112	Dangerous Wild Animals Act 1976 Food Safety Act 1990 (s.19) Guard Dogs Act 1975	To serve any relevant notice, issue any necessary authorisation, licence or permit and inspect where applicable at any reasonable time any	Executive Head, or Chief Planning Officer, or Service Manager, or Corporate Health and Safety Advisor, or Team Manager	Council 34 of 17/10/16 GP&L 18 of 16/11/18

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Public Health Acts 1936 and 1961 Zoo Licensing Act 1981 (repealed legislation deleted from list)	premises and enforce the relevant legislation for the purposes specified in the Acts which are delegated to the Committee	(Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officers, or Senior Building Surveyors	
G P & L 113	Local Government Act 1972 s.101	To issue any notice, licence, certificate or similar document and to deal with registrations in respect of any of the environmental health functions delegated to the Committee	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
G P & L 114	Dangerous Wild Animals Act 1976 Zoo Licensing Act 1981	To appoint a veterinary surgeon or veterinary practitioner or such other competent person to enter premises to carry out inspections and to administer and enforce the provisions of the Acts in the name of the Council	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16 GP&L 18 of 16/11/18
	Dangerous Wild Animals Act 1976 Zoo Licensing Act 1981	To enter premises to carry out inspections and to administer and enforce the provisions of the Acts in the name of the Council	Environmental Health Technicians	Council 34 of 17/10/16 GP&L 18 of 16/11/18

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 115	deleted			GP&L 18 of 16/11/18
G P & L 116	Caravan Sites & Control of Development Act 1960	<p>Sec 3 To determine applications for caravan site licences</p> <p>Sec 10 to transfer licences and to determine applications</p> <p>Sec 8 to change conditions attached to existing licences</p>	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
		<p>Sec 5A To apply to a residential property tribunal for an order requiring payment of an overdue annual fee, where this is not complied with to apply to a residential property tribunal for an order to revoke a site licence</p>	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officers	
		<p>Sec 9A To serve a compliance notice and to revoke or vary where appropriate under</p>		
		<p>Sec 9C Power to demand expenses in serving a compliance notice</p>		
		<p>Sec 9D Power to take action following conviction of occupier</p>		
		<p>Sec 9E Power to take</p>		

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		emergency action		
		Sec 9F To demand expenses for action under section 9D or 9E		
		Sec 9I Recovery of expenses demanded under Section 9C or 9F		
G P & L 117	Public Health Acts Amendment Act 1907 s. 94	With the exception of the determination of licence fees, to exercise the Council's powers in regard to the issue, supervision and revocation of boats and boatmen's licences	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
G P & L 118	deleted			GP&L 18 of 16/11/18
G P & L 119	deleted			GP&L 18 of 16/11/18
G P & L 120	Scrap Metal Dealers Act 2013	To issue, refuse, vary, revoke and impose conditions on any licence, to serve any notice, to supply information, to enter and inspect a site and enforce the relevant legislation for the purposes specified in the Act which are delegated to the Committee	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Licensing Manager, or Licensing	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Compliance Officer , or Licensing Assistant	
G P & L 121	Motor Vehicle Salvage Operators Regulations 2002	To issue licences	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Technicians, or Licensing Manager, or Licensing Compliance Officer , or Licensing Assistant	Council 34 of 17/10/16
G P & L 122	Guard Dogs Act 1975 Dangerous Dogs Act 1991	To administer and enforce the provisions of the Act in the name of the Council, including the seeking of a warrant to enter premises and to seize a dog.	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Officer, or Dog Warden	Council 34 of 17/10/16
G P & L 123	Supreme Court Act 1981	To obtain a grant in respect of appropriate welfare funeral cases	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
G P & L 124	Health and Safety at Work etc Act 1974	1) Appointment under Section 19 for the purpose of the Act and to exercise powers of an inspector specified in Sections 20, 21, 22, 25 and 39; and any	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health	Council 34 of 17/10/16



## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>health and safety regulations; and the provisions of the Acts mentioned in schedule 1 to the Act which are specified in the third column of that schedule and of the Regulations, Orders or other instruments of a legislative character made or having effect under any provision so specified, as enforced from time to time.</p> <p>2) To institute proceedings in England and Wales pursuant to Section 38 of the 1974 Act; but not to the extent that these functions are discharged in the Council's capacity as an employer</p>	Officers	
G P & L 125	Health and Safety at Work etc Act 1974	<p>Appointment under Section 19 for the purpose of the Act and to exercise powers of an inspector specified in Sections 20, 21; and any health and safety regulations; and the provisions of the Acts mentioned in schedule 1 to the Act which are specified in the third column of that schedule and of the Regulations, Orders or other instruments of a legislative character made or having effect</p>	Environmental Health Technicians	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		under any provision so specified, as enforced from time to time; but not to the extent that these functions are discharged in the Council's capacity as an employer.		
G P & L 126	Health and Safety at Work Etc Act 1974	To appoint suitably authorised and competent NFDC inspectors to the Hampshire Flexible Warrant scheme	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16
G P & L 127	Health and Safety at Work Etc Act 1974	To work as an appointed inspector under the Act for the HSE and other Hampshire Local Authorities within the terms of the memorandum of understanding for the Hampshire Flexible Warrant scheme	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officers identified in the Hampshire Flexible Warrant Scheme	Council 34 of 17/10/16
G P & L 128	The Health and Safety (Enforcing Authority) Regulations 1989	Power to agree that the responsibility for enforcing any of the relevant statutory health and safety provisions in respect of any particular premises, or any activity, may be transferred from the Health and Safety Executive to NFDC or from NFDC to the Health and Safety Executive.	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L 129	Local Government (Miscellaneous Provisions) Act 1982, Schedule 4	The Council's functions under paragraphs 7 and 9 of Schedule 4 in respect of Salisbury Road, Service Road, (West Side) north of the Water Lane Junction (Street market)	Totton and Eling Town Council	Council 34 of 17/10/16
G P & L 130	Animal Welfare Act 2006	To administer and enforce the provisions of the Act in the name of the Council	Service Manager, or Environmental and Regulation Team Manager, or Environmental Health Officer, or Environmental Health Technician	GP&L 18 of 16/11/18
G P & L 131	Animal Welfare Act 2006	To appoint a listed veterinarian to inspect premises i.e. a person registered in the register of veterinary surgeons maintained under Section 2 of the Veterinary Surgeons Act 1966, or a person registered in the supplementary veterinary register maintained under Section 8 of that Act.	Service Manager	GP&L 18 of 16/11/18

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE PROPER OFFICER APPOINTMENTS

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L P1	Local Government Act 1972 s.270	Designation as Proper Officer for the purpose of taking declarations made by candidates in accordance with the Representation of the People Acts 1983 and 1985 in relation to election expenses of District Council candidates	Chief Executive, Executive Head, or Chief Planning Officer, Service Manager	Council 34 of 17/10/16
G P & L P2	Representation of the People Act 1983 s.8, 28 and 52	(1) Appointment as Registration Officer in accordance with s.8 of the Act for New Forest East and New Forest West Parliamentary Constituencies	Chief Executive	Council 34 of 17/10/16
		(2) In the event of the absence or incapacity of the Chief Executive or of a vacancy, to undertake any of the acts with respect to the Registration Officer in accordance with s.52	Service Manager	
		(3) Appointment as Acting Returning Officer in accordance with S.28 of the Act at parliamentary elections for the	Chief Executive	

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE PROPER OFFICER APPOINTMENTS

No	Source	Power Delegated	Delegated to	Minute Reference
		New Forest East and New Forest West Constituencies		
G P & L P3	Representation of the People Act 1983 s.35	Appointment as Returning Officer for District and Parish Elections	Chief Executive	Council 34 of 17/10/16
G P & L P4	Health & Safety at Work etc Act 1974	(1).Appointment under Section 19 for the purpose of the Act and to exercise powers of an inspector specified in Sections 20,21,22,25 and 39; and any health and safety regulations; and the provisions of the Acts mentioned in schedule 1 to the Act which are specified in the third column of that schedule and of the Regulations, Orders or other instruments of a legislative character made or having effect under any provision so specified, as enforced from time to time  (2) To institute proceedings in England and Wales pursuant to Section 38 of the 1974 Act; but	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officers or Jenny Broom HSE and Local Authority inspectors identified in the Hampshire Flexible Warrant Scheme	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE PROPER OFFICER APPOINTMENTS

No	Source	Power Delegated	Delegated to	Minute Reference
		not to the extent that these functions are discharged in the Council's capacity as an employer		
		Appointment under Section 19 for the purpose of the Act and to exercise powers of an inspector specified in Sections 20, 21; and any health and safety regulations; and the provisions of the Acts mentioned in schedule 1 to the Act which are specified in the third column of that schedule and of the Regulations, Orders or other instruments of a legislative character made or having effect under any provision so specified, as enforced from time to time; but not to the extent that these functions are discharged in the Council's capacity as an employer	Environmental Health Technicians	
		To appoint suitably authorised and competent NFDC inspectors to the Hampshire Flexible Warrant scheme	Executive Head, or Chief Planning Officer, or Service Manager	

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE PROPER OFFICER APPOINTMENTS

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L P5	The Health and Safety (Enforcing Authority) Regulations 1989	To work as an appointed inspector under the Act for the HSE and other Hampshire Local Authorities within the terms of the memorandum of understanding for the Hampshire Flexible Warrant scheme	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officers identified in the Hampshire Flexible Warrant Scheme	Council 34 of 17/10/16
G P & L P6	Zoo Licensing Act 1981	To inspect premises on behalf of the Council for the purposes of Sections 10, 11 & 12 of the Act and any amending statutes and regulations	An Inspector appointed by an Executive Head, or Chief Planning Officer or Service Manager pursuant to their delegated powers (G P & L 53)	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE GENERAL PURPOSES AND LICENSING COMMITTEE PROPER OFFICER APPOINTMENTS

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L P7	deleted			GP&L 18 of 16/11/18
G P & L P8	Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976 Part II	Appointment as Authorised Officer for the purposes of the Acts and any Regulations made thereunder	Executive Head, or Chief Planning Officer, or Service Manager, or Licensing Compliance Officer	Council 34 of 17/10/16
G P & L P9	Licensing Act 1964 Schedule 25 Para 6	To be the "Proper Officer" to whom notice of application for justices' licence is to be given under Schedule 2 Para 5 of the Licensing Act 1964	Executive Head, or Chief Planning Officer	Council 34 of 17/10/16



## FUNCTIONS WHICH ARE DELEGATED TO GENERAL PURPOSES AND LICENSING COMMITTEE AUTHORITIES TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L Auth1	Caravan Sites & Control of Development Act 1960 Dangerous Wild Animals Act 1976 Food Safety Act 1990 (s.19) Guard Dogs Act 1975 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Noise and Statutory Nuisance Act 1993 Public Health Acts 1936 and 1961 Scrap Metal Dealers Act 1964 Slaughterhouses Act 1974 Zoo Licensing Act 1981	Authority to enter for the purposes of the Acts and any amending Statutes and Regulations in respect of functions which are delegated to the Committee	Executive Head, or Chief Planning Officer, or Service Manager, or Corporate Health Manager, or Corporate Health and Safety Advisor, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Environmental Health Technicians	Council 34 of 17/10/16 GP&L 18 of 16/11/18
G P & L Auth 2	Dangerous Wild Animals Act 1976 Zoo Licensing Act 1981	To enter premises for the purposes of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health	Council 34 of 17/10/16 GP&L 18 of 16/11/18

## FUNCTIONS WHICH ARE DELEGATED TO GENERAL PURPOSES AND LICENSING COMMITTEE AUTHORITIES TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L Auth 3	deleted		Officer, or Environmental Health Technician, or Licensing Compliance Officer , or Dog Warden, or veterinary surgeon, veterinary practitioner or other suitably qualified inspector appointed by the Executive Head, or Chief Planning Officer or Service Manager	GP&L 18 of 16/11/18
G P & L Auth 4	Dangerous Wild Animals Act 1976 Dangerous Wild Animals Act 1976 Zoo Licensing Act 1981	To administer and enforce the provisions of the Act in the name of the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Environmental Health Technician, or Licensing Compliance Officer , or Dog Warden, or veterinary surgeon, veterinary practitioner or other suitably qualified inspector appointed by the Executive Head, or Chief Planning Officer or Service	Council 34 of 17/10/16 GP&L 18 of 16/11/18

**FUNCTIONS WHICH ARE DELEGATED TO  
GENERAL PURPOSES AND LICENSING COMMITTEE  
AUTHORITIES TO ENTER PREMISES**

No	Source	Power Delegated	Delegated to	Minute Reference
G P & L Auth 5	deleted		Manager	GP&L 18 of 16/11/18
G P & L Auth 6	Caravan Sites and Control of Development Act 1960 as amended	Sec 26 Authority to enter, to take other persons and to apply for a warrant to enter land, for the purposes of the Acts and to inspect at any reasonable time and enforce the relevant legislation for the purposes specified in the Acts which are delegated to the Committee.	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officers, or Environmental Health Technicians.	Council 34 of 17/10/16
G P & L Auth 7	Animal Welfare Act 2006	To enter premises for the purposes of the Act	Service Manager, or Environmental and Regulation Team Manager, or Environmental Health Officer, of Environmental Health Technician	GP&L 18 of 16/11/18

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 1	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning and Compulsory Purchase Act 2004	<p>After having ensured that all statutory requirements have been complied with, and after considering all representations received, to approve all types of application submitted under the Acts provided that:-</p> <p>(1) they accord with the provisions of the appropriate development plan documents, other adopted policy guidance or development brief standards</p> <p>(2) they comply with all the relevant adopted local authority standards</p> <p>(3) the decisions would not conflict with any objections received from an elected District Council member within the specified consultation period</p> <p>(4) that a member of the Planning Committee has not requested that the planning application should be determined by the Planning Committee</p> <p>(5) the decision would not conflict with an objection</p>	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 PDC 26 of 09/11/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		received from a statutory consultee received within the specified consultation period		
		(6) the decision would not conflict with an objection from the Town or Parish Council received within the specified consultation period		
		(7) in all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority, failing which he or she shall report the matter to the Committee		
		Subject to:- (i) the prior completion of such Agreements as the Service Manager Planning and Building Control deems appropriate to secure controls over the development or financial contributions/works for the benefit of the community, in accordance with planning policies and guidance (ii) the imposition of such conditions as the Service Manager Planning and Building Control deems appropriate		

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>Note: Decisions may be made that are not in accordance with policy solely with respect to the requirement for the provision of affordable housing where the development is of 10 units or less and which have a maximum combined gross floorspace of no more than 1,000 sqm under Policy CS15 of the Core Strategy.</p>		
PLG 2	<p>Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning and Compulsory Purchase Act 2004</p>	<p>After having ensured that all statutory requirements have been complied with, and after considering all representations received, to refuse all types of application submitted under the Acts where he or she is satisfied that the proposals are contrary to the provisions of the appropriate development plan documents, planning policy guidance and circulars, do not comply with relevant adopted local authority standards or would be contrary to established planning practice and would cause demonstrable harm to an interest of acknowledged importance, provided that:</p>	<p>Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer</p>	<p>Council 34 of 17/10/16 PDC 26 of 09/11/16 Planning 30 of 12/12/18 43 of 13/03/19</p>

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>(1) The decision would not conflict with any representation submitted by an elected District council member within the specified consultation period</p>		
		<p>2) The decision would not conflict with any representations submitted by the Town or Parish Council within the specified consultation period</p>		
		<p>(3) In all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority failing which he or she shall report the matter to the Committee</p>		
		<p>Note: Decisions may be made that are not in accordance with policy solely with respect to the requirement for the provision of affordable housing where the development is of 10 units or less and which have a maximum combined gross floorspace of no more than 1,000 sqm under Policy CS15 of the Core Strategy.</p>		

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 3	Local Government Act 1972 s.101	To decide deemed reasons for refusal where notification has been received from the Department of the Environment of an appeal on the grounds of non-determination	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/1 Planning 30 of 12/12/18 43 of 13/03/19
PLG 4	Town and Country Planning Act 1990 (s.70A and s.70B)	To decline to determine an application for planning permission (applies where a similar application has been dismissed on appeal within 2 years)	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 5	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.81A and s.81B)	To decline to determine an application for relevant consent	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer,	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19



## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 6	Planning (Hazardous Substances) Act 1990	<p>To approve applications for hazardous substance consent, to impose conditions and to agree minor amendments to previously approved proposals provided that:-</p> <p>(1) They accord with the provisions of the appropriate development plan documents, other adopted policy guidance or development brief</p> <p>(2) They comply with all the relevant adopted local authority standards</p> <p>(3) The decision would not conflict with any objections received from an elected District Council member within the specified consultation period</p> <p>(4) The decision would not conflict with an objection received from a statutory consultee or Town or Parish Council received within the specified consultation period</p>	<p>or Senior Enforcement Officer</p> <p>Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer</p>	<p>Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19</p>

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>(5) In all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority, failing which he or she shall report the matter to the Committee.</p>		
		<p>To refuse applications submitted under the Act where:-</p>		
		<p>(1) He or she is satisfied that the proposals are contrary to the provisions of the appropriate development plan, planning policy guidance and circulars, do not comply with relevant adopted local authority standards or would be contrary to established planning practices and would cause demonstrable harm to an interest of acknowledged importance and</p>		
		<p>(2) The refusal would accord with the advice of the Health and Safety Executive in respect of the application</p>		
		<p>Provided that:- (1) The decision would not conflict with any representation submitted by an elected District</p>		

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		Council member within the specified consultation period		
		(2) The decision would not conflict with any representation received from a Town or Parish Council within the specified consultation period		
		(3) In all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority, failing which he or she shall report the matter to the Committee		
PLG 7	Town and Country (General Regulations) 1992 (Regs.3 and 4)	To approve applications submitted under Regulations 3 and 4, after having ensured that all the statutory regulations have been complied with and after considering all representations received provided that the decision:-  (1) Accords with the provisions of the appropriate development plan documents, other adopted policy guidance or development brief	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		(2) Complies with all the relevant adopted local authority standards		
		(3) Would not conflict with any objections from an elected District Council Member or Town or Parish Council received within the specified consultation period		
		(4) Would not conflict with an objection from a statutory consultee received within the specified consultation period		
		(5) In all cases is one which the Service Manager Planning and Building Control considers it prudent to make under his or her delegated authority. Failing which he or she shall report the matter to Committee		
		Subject to such conditions as he or she deems it appropriate to impose		
PLG 8	Town and Country (General Regulations) 1992 (Regs.3 and 4)	To approve minor variations to consents issued under these regulations, provided the changes are not material or do not increase the impact of the development on any individual or	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		interested groups	Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	
PLG 9	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990	To deal with minor modifications to approved plans, non-material and minor material amendments, and to vary or to discharge conditions imposed on consents	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer, or Planning Officer, or Assistant Planning Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 10	Town and Country Planning Act 1990 (s.55) Town and Country Planning Act (Demolition of Buildings) Direction 1992 Town and Country Planning (General Permitted Development Order) 1995	To determine whether prior approval is required for the demolition of buildings, or whether further details should be submitted on the method of demolition	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 11	Town and Country Planning Act 1990 (s.55 as amended) and Town and Country Planning (General Permitted Development Order) 1995	To decide whether prior approval is required and if so to determine if approval should be given	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 12	Town and Country Planning (General Permitted Development Order) 1995	To determine if prior approval is required and if so to determine if approval should be given for agricultural and forestry development	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 13	Town and County Planning (General Permitted Development) Order 1995, as amended (including the most recent	To make all decisions and to take all actions in respect of prior notification applications. (all existing "prior approval" delegations under the Council's Scheme of Delegation updated to reflect this new delegation) Note: A protocol has been	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader,	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	amendment in Statutory Instrument 2013 No 1101)	developed to cover this process	or Senior Planning Officer, or Senior Enforcement Officer	
PLG 14	Town and Country Planning Act 1990 (s 106)	To enter into planning obligations in respect of land	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer, or Development Control Team Leader	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 15	Town and Country Planning Act 1990 (s 106A and s 106 BA)	Determination of applications for discharge or modification of planning obligations and issue of the notice of decision	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader,	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 16	Town and Country Planning Act 1990 (s 106)	To consider applications for the exercise of discretion that is allowed within the terms of a planning legal agreement and to determine the application	<p>or Senior Planning Officer, or Senior Enforcement Officer</p> <p>Executive Head, or Chief Planning Officer, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer</p>	<p>Council</p> <p>34 of 17/10/16 Planning</p> <p>30 of 12/12/18 43 of 13/03/19</p>
PLG 17	Town and Country Planning Act 1990 (s 171C)	Service of Planning Contravention Notices (requires information on operations on land and persons with an interest in the land, where there is a suspected breach of planning control)	<p>Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Planning Officer, or Assistant Planning Officer, or Senior Enforcement Officer, Implementation Officer, or</p>	<p>Council</p> <p>34 of 17/10/16 Planning</p> <p>30 of 12/12/18 43 of 13/03/19</p>



## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Site Monitoring Officer, or Planning Case Officer, or Enforcement Case Officer	
PLG 18	Town and Country Planning Act 1990 (s 215)	To serve notices to require proper maintenance of land	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 19	Planning (Listed Buildings and Conservation Areas) Act 1990 s.3(1)	To serve Building Preservation Notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader,	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			or Senior Planning Officer, or Senior Enforcement Officer, or Senior Conservation and Building Design Officer, or Conservation Officer	
PLG 20	Planning (Listed Buildings and Conservation Areas) Act 1990 s.4(1)	To serve a Building Preservation Notice by affixing it to the building	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
PLG 21	Town and Country Planning Act 1990 (s.187A)	Service of Notices for compliance with conditions on planning consent	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer, or Planning Officer, or Assistant Planning	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Officer, Implementation Officer, or Site Monitoring Officer, or Planning Case Officer, or Enforcement Case Officer	
PLG 22	Town and Country Planning Act 1990 (s.183) Water Industry Act 1991	To determine if it is expedient, and to issue and serve Stop Notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 23	Town and Country Planning Act 1990 (s.171E to s.171H) Town and Country Planning (Temporary Stop Notice) (England) Regulations 2005	To determine whether or not to issue a Temporary Stop Notice.	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, as instructed by Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	
PLG 24	Town and Country Planning Act 1990 (s.94)	To serve completion notices	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 25	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.54(1))	To authorise execution of works urgently necessary for the preservation of an unoccupied Listed Building	Executive Head, or Chief Planning Officer, or Service Manager, or Senior Conservation and Building Design Officer, or Conservation Officer	Council 34 of 17/10/16
PLG 26	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.54(5))	To give notice of intention to carry out the works	Executive Head, or Chief Planning Officer, or Service Manager, or Senior Conservation and Building Design Officer, or Conservation Officer in consultation with the Executive Head, or Chief	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Planning Officer, or Service Manager or Solicitor	
PLG 27	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.55(2))	To give notice requiring payment of the expenses of the works	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 28	Town and Country Planning Act 1990 (s.191-193)	To determine applications for a Certificate of Lawful Use or Certificate of Lawful Development	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 29	Town and Country Planning Act 1990 (s.172) Planning (Listed Buildings and Conservation Areas) Act 1990	To determine whether it is expedient to take enforcement action	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, or Development Control Team Leader, or Principal Planning Officer, or Planning	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	(s.38)		Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer, or Planning Officer	
PLG 30	Town and Country Planning Act 1990 (s.172) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.38 and s.74)	Issue and service of enforcement notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 31	Town and Country Planning Act 1990 (s.173A) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.38 and s.74)	Variation to, or withdrawal of, enforcement notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	
PLG 32	Town and Country Planning Act 1990 (s.178) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.42 and s.74)	i) Execution of works required by an enforcement notice	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer in consultation with the Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
		(ii) To recover expenses reasonably incurred by the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 33	Town and Country Planning Act 1990 (s.178) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.42(3) and s.74(3))	To sell materials removed in executing works required by an Enforcement Notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer,	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	Public Health Act 1936 (s.275)		or Senior Enforcement Officer	
PLG 34	Town and Country Planning Act 1990 (s.187B) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.44A and s.73(3))	To seek an injunction	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 35	Town and Country Planning Act 1990 (s.97 and 99) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.23) and (s.74(3))	To make an order to revoke or modify Planning Consent, Listed Building Consent or Conservation Area Consent	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19



## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Officer	
PLG 36	Town and Country Planning Act 1990 (s.198, 199 and 201)	(i) To make, modify, confirm, decide not to confirm, vary and revoke tree preservation orders	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
		(ii) To decide whether a tree preservation order should be made at the request of a District Councillor, when the arboricultural officers do not consider there is justification	Executive Head, or Chief Planning Officer, or Service Manager in consultation with the Chairman and Vice-Chairman of Planning Committee	Council 34 of 17/10/16
PLG 37	Town and Country Planning Act 1990 (s.207)	Issue of notices requiring replanting of trees subject to a Tree Preservation Order	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 38	Town and Country Planning Act 1990 (s.214A)	To seek injunctions to restrain actual or apprehended breach of a Tree Preservation Order	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 39	Town and Country Planning Act 1990 (s.198 and s.211) and Planning (Listed Buildings and Conservation Areas) Act 1990, (s.69)	To determine applications to do works to trees that are subject to protection by a Tree Preservation Order, and to impose such conditions on any consent as he or she deems appropriate	Executive Head, or Chief Planning Officer, or Environmental Design Team Leader, or Development Management Team Leader, or Policy and Plans Team Leader	Council 34 of 17/10/16 Planning 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 40	Town and Country Planning Act 1990 (s.211) Planning (Listed Buildings and Conservation Areas) Act 1990, (s.69)	To determine whether or not to object to prior notification of an intention to do works to a tree within a conservation area	Executive Head, or Chief Planning Officer, or Service Manager, or Environmental Design Team Leader, or Development Management Team Leader, or Policy and Plans Team Leader	Council 34 of 17/10/16 Planning 43 of 13/03/19
PLG 41	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.89) Town and Country Planning Act 1990 (s.330(1) and s.330(2)) Miscellaneous Provisions Act 1976 (s.16)	To require information on interests in land and its use	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 42	Local Government Act 1972 s.101	Development by County Council of their own land - to respond to consultations	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 43	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Hazardous Substances) Act 1990, (including Regulations thereunder) Local Government (Miscellaneous Provisions) Act 1976 Local Government Act 1972 (s.101 and s.222)	To initiate, defend, conduct and settle legal proceedings on behalf of the Council in respect of any of the functions of the Council which are delegated to the Committee	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 44	Town and Country Planning (Environmental Impact Assessment) Regulations 1999	To make a decision in respect of any issue required to be made under the regulations	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 45	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To issue notices of authority to remove all or part of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager following written consultation with appropriate Town or Parish Councils and Local Ward Members	Council 34 of 17/10/16
		In the event of disagreement between the officers and the town and parish council and/or local ward members, to issue notice of authority to remove all or part of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager following consultation with the Chairman and Vice-Chairman of Planning Committee	Council 34 of 17/10/16
PLG 46	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To issue hedgerow retention notices in respect of hedgerows falling within the definition of an important hedgerow	Executive Head, or Chief Planning Officer, or Service Manager following written consultation with appropriate Town or Parish Councils and Local Ward Members	Council 34 of 17/10/16
PLG 47	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To withdraw hedgerow retention notices in respect of hedgerows	Executive Head, or Chief Planning Officer, or Service Manager following written consultation with appropriate Town or Parish Councils and Local Ward Members	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 48	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.7)	To prosecute for the unlawful removal of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 49	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.8)	To issue notices requiring the planting of a replacement hedgerow	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
PLG 50	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.11)	To seek an injunction to prevent the actual or apprehended removal of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 51	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Regs.13 and 14)	To seek a warrant to enter premises	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 52	Anti-Social Behaviour Act 2003 (s.68(2))	To determine whether or not to proceed with a complaint	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer,	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 53	Anti-Social Behaviour Act 2003 (s.68 (3) (4) and (5))	To decide whether a high hedge is affecting the complainant's reasonable enjoyment of a domestic property and, if so, what action (if any) should be taken to remedy the adverse effect or prevent its recurrence. To issue such notifications, other than remedial notices, required by these sections to give effect to that decision.	or Senior Enforcement Officer  Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer in consultation with the Local Ward Councillor(s)	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 54	Anti-Social Behaviour Act 2003 (s.68 (4) and s.69)	To issue remedial notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor as instructed by Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 55	Anti-Social Behaviour Act 2003 (s.68 (8))	To refund the fee paid when a Tree Preservation Order is placed on the hedge subject of the complaint	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 56	Anti-Social Behaviour Act 2003 (s.70)	To withdraw a remedial notice, waive or relax a requirement of a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 57	Anti-Social Behaviour Act 2003 (s.75)	To institute proceedings where action has not been taken to comply with a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 58	Anti-Social Behaviour Act 2003 (s.77)	To execute works required by a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer, or Senior Enforcement Officer in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 59	Anti-Social Behaviour Act 2003 (s.77)	To take appropriate action to recover costs reasonably incurred by the Council in securing compliance with a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 60	Planning Act 2008 Infrastructure Planning (Environmental Impact Assessment) Regulations 2009	To respond to consultations under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer;	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19



## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			or Senior Enforcement Officer, or Planning Officer	
PLG 61	Town and Country Planning Act 1990 (s.191-193)	To determine applications for lawfulness of proposed use or development in respect of householder applications	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader	Council 34 of 17/10/16 Planning 43 of 13/03/19
PLG 62	Planning Act 2008 Infrastructure Planning (Environmental Impact Assessment) Regulations 2009, Localism Act 2011 and any amending legislation	To respond to consultations under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Planning Implementation and Policy Team Leader, or Senior Planning Officer; or Senior Enforcement Officer, or Planning Officer following written consultation with local ward councillors	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 63	Community Infrastructure Levy Regulations 2010	To exercise all powers and duties and to take all necessary action and make all decisions including the making of all determinations and declarations, the service, variation and withdrawal of notices except the following:	Executive Head, or Chief Planning Officer, or Service Manager, or Planning Implementation and Enforcement Team Leader	Council 34 of 17/10/16 Planning 43 of 13/03/19

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		The determination and granting of applications for relief in exceptional circumstances	Executive Head, or Chief Planning Officer, or Service Manager, Planning Implementation and Enforcement Team Leader in consultation with the Chairman of the Planning Committee	
		To make all necessary applications through the courts and to take all such actions as may be necessary for implementation	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, Planning Implementation and Enforcement Team Leader	

# FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE

## AUTHORISATION TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
PLG Auth1	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Hazardous Substances) Act 1990 Planning and Compulsory Purchase Act 2004	In respect of any function which is delegated to the Committee, to enter premises for the purposes of the Acts and any amending statutes or regulations made pursuant to the Acts	Executive Head, or Chief Planning Officer, Service Manager, Development Control Team Leader, Principal Planning Officer, Senior Planning Officer, Planning Officers, Assistant Planning Officers, Planning Technicians, Building Control Manager, Senior Building Control Surveyor, Assistant Building Control Surveyors, District Building Control Surveyors, Planning Implementation and Enforcement Team Leader, Senior Enforcement Officer, Planning Enforcement Officer, Implementation Officer, Site Monitoring Officer, Planning Case Officer, Enforcement Case Officer, Principal	Council 34 of 17/10/16 Planning 43 of 13/03/19

**FUNCTIONS WHICH ARE DELEGATED TO THE  
PLANNING DEVELOPMENT CONTROL COMMITTEE  
AUTHORISATION TO ENTER PREMISES**

No	Source	Power Delegated	Delegated to	Minute Reference
			Planning Policy Officer, Senior Planning Policy Officer, Planning Policy Officer, Senior Conservation and Building Design Officer, Conservation Officers, Landscape Architect, Urban Designer, Landscape and Open Space Project Officer, Solicitor, Committee Administrator, Environmental Design Team Leader, Senior Tree Officer, Tree Officer.	
PLG Auth2	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.12)	Authorisation to Enter Premises	Executive Head, or Chief Planning Officer, Service Manager, Committee Administrator, Solicitor, Landscape Architect, Landscape and Open Space Project Officer, Environmental Design Team Leader, Senior Tree Officer, Tree Officer.	Council 34 of 17/10/16 Planning 43 of 13/03/19

**FUNCTIONS WHICH ARE DELEGATED TO THE  
PLANNING DEVELOPMENT CONTROL COMMITTEE  
AUTHORISATION TO ENTER PREMISES**

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegated to</b>	<b>Minute Reference</b>
PLG Auth3	Anti-Social Behaviour Act 2003 (s.70)	To enter land for the purposes of the Act and any amending statutes or regulations made pursuant to the Acts	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader, or Principal Planning Officer, or Senior Planning Officer, or Planning Implementation and Enforcement Team Leader, or Senior Enforcement Officer, or Planning Enforcement Officer, or Planning Officer, or Assistant Planning Officer, Implementation Officer, or Site Monitoring Officer, or Planning Case Officer, or Enforcement Case Officer, or Environmental Design Team Leader, or Senior Tree Officer, or Tree Officer.	Council 34 of 17/10/16 Planning 43 of 13/03/19

# **FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET**

## **CABINET FUNCTIONS GENERALLY**

### **PROVISIONS RELATING TO DELEGATIONS TO OFFICER FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET**

- (a) Without prejudice to the Specific delegations to any Officer, the Chief Executive and Executive Heads, or Chief Planning Officer are hereby authorised to make such decisions and initiate such actions as they may deem necessary in the interests of the Council's functions and services.
- (b) Delegation to Officer shall be without prejudice to the rights and powers of the Cabinet or any Sub-Committee of the Cabinet at any time to decide upon any matter.
- (c) In exercising powers, Officer:-
  - (i) shall comply with the Standing Orders and Financial Regulations of the Council;
  - (ii) may authorise expenditure only in accordance with approved estimates which does not require a loan sanction or approval which has not been authorised or received;
  - (iii) shall comply with approved policies, schemes or directions, where they exist; of the Council or any of its Committees; and
  - (iv) shall consult with the appropriate professional or technical officer of the Council.
- (d) Delegated powers of the Chief Executive, or Executive Head, or Chief Planning Officer may be exercised on his or her behalf by any officer authorised by him or her generally or specifically for the purpose.
- (e) Delegated powers of the Executive Heads, or Chief Planning Officer may be exercised by the Chief Executive in the event of his or her absence
- (f) Delegated powers of any officer:

## **FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET**

### **CABINET FUNCTIONS GENERALLY**

- (i) below the level of Service Manager may be exercised by a Service Manager, or by an Executive Head, or Chief Planning Officer, or the Chief Executive;
- (ii) at the level of Service Manager may be exercised by an Executive Head, or Chief Planning Officer, or by the Chief Executive;
- (g) The Executive Head, Governance and Regulation may amend any of these delegations to take account of new legislation, amendments to staffing structures or job titles or appointments.
- (h) Those delegations of powers to Officers where operational, administrative or legislative changes make the delegation redundant may be deleted
- (i) That where it does not already specify, each delegation also includes any subsequent amendments and re-enactments of legislation in respect of the original delegation already authorised

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET

### CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
Cab 1	Local Government Act 2000, part 1A	To exercise all powers delegated to any Executive Head, or Chief Planning Officer relating to functions which are the responsibility of the Cabinet, such powers to be exercised only in the absence of the Executive Head, or Chief Planning Officer concerned or in the event of his or her inability to act	Chief Executive	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 2	Local Government Act 2000, part 1A	To sign any formal notices, order or document necessary to bring into effect any decision of the Cabinet or an individual Portfolio Holder	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 3	Local Government Act 2000, part 1A and Local Government Act 1972, s.222	To institute, defend, conduct and settle legal proceedings on behalf of the Council in respect of any of the functions of the Council which are a Cabinet responsibility	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 4	Local Government Act 2000, part 1A	To appoint professional consultants, subject to financial provision being available within approved budgets in accordance with Standing Orders with respect to Contracts	Chief Executive, or Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
Cab 5	Town and Country Planning General Regulations 1992 Regulation 3	To submit planning applications for schemes for which budget provision exists	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with the appropriate Portfolio Holder	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 6	Local Government Act 2000, part 1A	To agree any term, condition or provision within any legal documentation to protect the interests of the Council	Executive Head, or Chief Planning Officer, or Valuer, in consultation with the appropriate Solicitor, or Service Manager, or Portfolio Holder	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 7	Local Government Act 1972 s.101 Police Act 1997 Part V	To register (as lead signatory and counter signatory respectively) with the Criminal Records Bureau for the purposes of undertaking criminal record checks in respect of the Licensing and Hackney Carriages and Private Hire Vehicles	Executive Head, or Chief Planning Officer (Lead Signatory), Licensing Officer (Counter-Signatory)	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 8	Local Government Act 1972 s.101 Police Act 1997 Part V	To be the lead signatory for the purpose of registration with the Criminal Records Bureau	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
Cab 9	Local Government Act 1972 s.101 Police Act 1997 Part V	To be the counter-signatories for the purpose of registration within the Criminal Records Bureau	Executive Head, or Chief Planning Officer, or Service Manager, or Human Resources Advisor, or Human Resources Administrator, or Administration Section Manager, or Group Administration Manager (Leisure and Employment)	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 10	Regulation of Investigatory Powers Act 2000	<ol style="list-style-type: none"> <li>1. Authorise an application for authority to carry out directed surveillance or for the conduct or the use of a covert human intelligence source</li> <li>2. Authorise renewal of an application for authority to carry out directed surveillance or for the conduct or the use of a covert human intelligence source</li> <li>3. Authorise cancellation of an application for authority to carry out directed surveillance or for the conduct or the use of a covert human intelligence source</li> <li>4. Authorise destruction of wholly unrelated material arising from surveillance or from the conduct or the use of a covert human intelligence source</li> <li>5. Monitor the produce of the surveillance or from the covert human intelligence source</li> </ol>	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or S151 Officer	Cabinet 627 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
		6. Authorise an application where the likely consequence of directed surveillance would be intrusion on another person other than the target (collateral intrusion) and this at specially sensitive premises (used by lawyers or for any form of medical or professional counselling or therapy)		
Cab 11	Regulation of Investigatory Powers Act 2000	To act as a single point of contact in respect of communications data.	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or S151 Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 12	Regulation of Investigatory Powers (Communications Data) Order 2003	Authorise an application where the likely consequence of the directed surveillance would be for the applicant officer to acquire knowledge of confidential material.	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or S151 Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 13	Regulation of Investigatory Powers Act 2000 (s. 22)	To authorise an application to obtain communications data	Chief Executive, or Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 14	Licensing Act 2003 s.13(4)(e)	To carry out the Council's functions as a responsible authority to respond to consultations to minimise or prevent the risk of pollution of the environment or of harm to human health on licensing applications	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
Cab 15	Licensing Act 2003 s.13(2)(d) and s.69(2)(d)	To require the production of licences and certificates	Service Manager, or Environmental Health Manager, or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 15 (a)	Licensing Act 2003 s.99A	To act as a relevant person for the purposes of Part 5 of the Licensing Act 2003.	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 16	Acquisition of Land Act 1981 s.5A Planning and Compulsory Purchase Act 2004 s.105	To require information about interests in land which it is intended to compulsory purchase	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 17	Localism Act 2011 Sections 87 – 108 and The Assets of Community Value (England) Regulations 2012	To authorise an Executive Head, or Chief Planning Officer to make decisions on community nominations of community assets to be included on the List of Assets of Community Value and to determine applications for compensation (and to deal with all consequential administrative matters arising from such decisions)	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
		To make decisions in respect of internal reviews following a decision to list a community asset and decisions in respect of	Chief Executive, or an Executive Head, or Chief Planning Officer who was not involved in the original decision	

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET

### CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
		compensation (and to deal with all consequential administrative matters arising from such decisions)		
Cab 18	Localism Act 2011 s.81, 83, 84	To make decisions on all matters falling with s. 81, 82 and 83	Executive Head, or Chief Planning Officer, in consultation with the relevant Portfolio Holder(s) for the Service that is the subject of the expression of interest	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 19	Localism Act 2011 s.82	To specify periods during which expressions of interest may be submitted to the Council in accordance with s.82	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 20	Local Government Act 2000 part 1A	To enter into contracts (contract signing): £0 - £ unlimited £0 - £1,000,000 £0 - £10,000 £0 - £50,000 (Goods/Services only)	Member of EMT Service Manager Budget Responsible Officer Procurement Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
	Local Government Act 2000 part 1A	To nominate Officer to carry out all roles defined in a contract	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 21	Local Authorities (Goods and Services) Act 1970	To submit tenders to other organisations for individual contracts having a gross value of £50,000 or more	Chief Executive, or Executive Head, or Chief Planning Officer, in consultation with the appropriate Portfolio Holder	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
Cab 22	Animal Welfare Act 2006 The Microchipping of Dogs (England) Regulations 2015	To authorise, in writing, persons to act for purpose of enforcing the Regulations	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab 23	Environmental Protection Act 1990 s. 33ZA	To give fixed penalty notices for the unauthorised deposit of waste	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Enforcement Officer, or Partnership Intervention Manager, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Dog Warden, or Pest Control Officer, or Planning Enforcement Officer, or Housing Estates Manager, or Neighbourhood and Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19 83 of 06/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
Cab 24	Environmental Protection Act 1990 s. 34-A	To give a fixed penalty notice for failing to produce waste Documentation	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Enforcement Officer, or Partnership Intervention Manager, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Dog Warden, or Pest Control Officer, or Planning Enforcement Officer, or Housing Estates Manager, or Neighbourhood and Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19 83 of 06/03/19
Cab 25	Environmental Protection Act 1990 s. 34-B	To give a fixed penalty notice for failure to produce authority to carry waste.	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or	Cabinet 27 of 5/10/16 77 of 6/02/19 83 of 06/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET CABINET FUNCTIONS GENERALLY

No	Source	Power Delegated	Delegated to	Minute Reference
			Commercial Waste Officer, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Partnership Intervention Manager, or Enforcement Manager , or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Dog Warden, or Pest Control Officer, or Planning Enforcement Officer, or Housing Estates Manager, or Neighbourhood and Tenancy Management Officer	



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET AUTHORISATIONS TO ACT AND TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
Cab Auth 1	Environmental Protection Act 1990 s.92C(3)	To enter land to which a litter clearing notice relates and clear it of litter and refuse	Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Service Manager Open Spaces, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Executive Head, or Chief Planning Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Community Safety Officer, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Dog Warden, or Neighbourhood and Tenancy Management Officers	Cabinet 27 of 5/10/16 83 of 06/03/19
Cab Auth 2	Products of Animal Origin (Third Country Imports) (England) Regulations 2006 Products of Animal Origin (Third Country Imports) (England) Amendment Regulations 2007,2008,2009	Powers of entry including applying for entry warrant	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Environmental Health Technician	Cabinet 27 of 5/10/16 83 of 06/03/19

**FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET  
AUTHORISATIONS TO ACT AND TO ENTER PREMISES**

No	Source	Power Delegated	Delegated to	Minute Reference
Cab Auth 3	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Hazardous Substances) Act 1990	In respect of any function which is the responsibility of the Cabinet, to enter premises for the purposes of the Acts and any amending statutes or regulations made pursuant to the Acts	Executive Head, Chief Planning Officer, Service Manager, Development Control Team Leader, Principal Planning Officer, Planning Enforcement Team Leader, Senior Planning Officer, Planning Officer, Assistant Planning Officer, Planning Technician, Planning Enforcement Officer, Enforcement Officer, Principal Policy Planning Officer, Planning Policy Officer, Senior Policy Planning Officer, Building Control Manager, District Building Control Surveyor, Senior Building Control Surveyor, Assistant Building Control Surveyor, Committee Administrator, Senior Conservation and Building Design Officer, Conservation Officer, Urban Designer, Landscape Architect, Landscape and Open Space Project Officer, Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19 83 of 06/03/19
Cab Auth 4	Hampshire Act 1983 and Building Act 1984 and Regulations	To enter premises for the purposes of the Act and any amending statutes	Service Manager, Building Control Manager, Building Control Surveyor, District Building Control Surveyor, Senior Building Control Surveyor	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET AUTHORISATIONS TO ACT AND TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
Cab Auth 5	Caravan Sites & Control of Development Act 1960 Clean Air Acts 1956, 1968 and 1993 Control of Pollution Act 1974 Control of Pollution Amendment Act 1989 Dangerous Wild Animals Act 1976 Dangerous Dogs Act 1991 Environmental Protection Act 1990 Environment Act 1995 Food Act 1984 Food and Environmental Protection Act 1985 Food Safety Act 1990 (except s.19) Guard Dogs Act 1975 Housing Act 1985 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Noise and Statutory Nuisance Act 1993 Noise Act 1996 Offices Shops &	Authority to enter for the purposes of the Acts and any amending Statutes and Regulations in respect of functions which are the responsibility of the Cabinet	Executive Head, or Chief Planning Officer, Service Manager, Housing Technical Manager, Corporate Health and Safety Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer Environmental Health Technician,	Cabinet 27 of 5/10/16 77 of 6/02/19

**FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET  
AUTHORISATIONS TO ACT AND TO ENTER PREMISES**

No	Source	Power Delegated	Delegated to	Minute Reference
	Railway Premises Act 1963 Prevention of Damage By Pests Act 1949 Public Health Acts 1936 and 1961 Rag, Flock and Other Filling Materials Act 1951 Scrap Metal Dealers Act 1964 Shops Acts 1950- 1965 Building Act 1984 Deer Act 1980 (s.3(4)) Slaughterhouses Act 1974 Slaughter of Poultry Act 1967			
Cab Auth 6	Dangerous Dogs Act 1991 Guard Dogs Act 1975	Authority to enter for the purposes of the Acts and any amending Statutes and Regulations in respect of functions which are the responsibility of the Cabinet	Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Dog Warden	Cabinet 27 of 5/10/16
Cab Auth 7	Environmental Protection Act 1990 s.149-151 Control of Dogs	To enter premises for the purposes of the Act	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Enforcement Manager, or Enforcement Operations Team	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET AUTHORISATIONS TO ACT AND TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
			Leader, or Enforcement Supervisor, or Enforcement Officer, Dog Warden, or Streetscene Senior Supervisor, Streetscene Supervisor, Open Spaces Supervisor, or Pest Control Officer	
Cab Auth 8	Prevention of Damage By Pests Act 1949	To enter premises for the purposes specified in the Act and any amending Statutes or Regulations	Pest Control Officer	Cabinet 27 of 5/10/16
Cab Auth 9	Land Drainage Act 1991	To enter land to carry out any function under the Land Drainage Act 1991	Executive Head, or Chief Planning Officer, Service Manager, Principal Engineer, Senior Assistant Engineer, Assistant Engineer, Technical Assistant	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab Auth 10	Coast Protection Act 1949	Powers of entry and inspection	Service Manager, Coastal Projects Manager, Assistant Engineer, Surveying Technician, Graduate Engineer, Engineering Technician, Trainee Surveying Technician, Coastal Projects Officer, Coastal Process Scientist, Coastal Process Team Leader, Coastal Surveyor, Coastal Warden, GIS Analyst, River Warden	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET AUTHORISATIONS TO ACT AND TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
Cab Auth 11	Deleted			
Cab Auth 12	Deleted			
Cab Auth 13	Local Government Act 1972 s.223 Local Government Finance Acts 1988 and 1992	To institute, conduct, prosecute, defend and appear on behalf of the Council in Magistrates' Courts for the recovery and enforcement of the community charge, council tax and national non-domestic rates, and to represent New Forest District Council, at hearings of the Valuation Tribunal pursuant to the Local Government Finances Acts 1988 and 1992 or any statutory modifications or re- enactment thereof for the time being in force	Service Manager, or Revenues Manager, or Senior Tax and Benefits Officer.	Cabinet 27 of 5/10/16
Cab Auth 14	Housing Act 1985 (as amended)	To enter premises for the purpose of the Act	Service Manager, or Housing Grants and Improvements Manager, or Home Health and Safety Officer	Cabinet 27 of 5/10/16
Cab Auth 15	County Courts Act 1984 s.60(2) Local Government Finance Act 1988 s.114	To be authorised signatory for the purpose of applications for Social Housing Grant approvals and grant claims	Kevin Green	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET AUTHORISATIONS TO ACT AND TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
Cab Auth 16	Licensing Act 2003 s.13(2)(d) and s.69(2)(d)	To enter premises for the purposes of the Act	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16
Cab Auth 17	Clean Neighbourhoods and Environment Act 2005 s.77	To enter premises for the purpose of silencing an audible intruder alarm	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Cab Auth 18	Food Hygiene (England) Regulations 2005	Regulation 14 - to enter premises for the purposes of the Regulations	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Environmental Health Technician	Cabinet 27 of 5/10/16
Cab Auth 19	Products of Animal Origin (Third Country Imports) (England) (No 4) Regulations 2004	Regulations 7 and 8 - to exercise the powers conferred by Section 8 to enter premises; to inspect any bundle, package, packing case or item of personal luggage, any product, plant or equipment; and to take samples	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16
Cab Auth 20	Antisocial Behaviour, Crime and Policing Act 2014	To enter premises for the purposes of the Act and to serve notices	Service Manager, or Housing Estates Manager, or Neighbourhood and Tenancy	Cabinet 27 of 5/10/16

**FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET  
AUTHORISATIONS TO ACT AND TO ENTER PREMISES**

No	Source	Power Delegated	Delegated to	Minute Reference
			Management Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Environmental Health Technician, or Dog Warden, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Partnership Intervention Officer, or Licensing Enforcement Officer	



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET COMMUNITY AFFAIRS PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Com 1	Local Government Act 2000, part 1A	To determine canvassers' fees annually, but any increases approved shall not exceed the overall New Forest District Council pay award since the last canvassers' increase	Electoral Registration Officer	Cabinet 27 of 5/10/16
Com 2	Criminal Justice and Public Order Act 1994 s.77, s.78 and s.79	To issue directions and to serve notices for unauthorised campers to leave land	Executive Head, or Chief Planning Officer; or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Partnership Intervention Manager, or Environmental Health Officer, or Housing Grants and Improvement Manager, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Com 3	Criminal Justice and Public Order Act 1994	To institute proceedings or complaints under Sections 77 and 78 of the Act	Executive Head, or Chief Planning Officer, in consultation with Service Manager, or Solicitor, or Community Affairs Portfolio Holder, or Leader of the Council, and with the Local Ward Members concerned	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET COMMUNITY AFFAIRS PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Com 4	Criminal Justice and Public Order Act 1994	To make an Order under Section 70 of the Act/Section 14A – 14B of the Public Order Act 1986	Chief Executive, Executive Head, or Chief Planning Officer, or Service Manager, or Solicitors	Cabinet 27 of 5/10/16 77 of 6/02/19
Com 5	Local Government Act 2000, part 1A	To sign Acceptable Behaviour Contracts	Executive Head, or Chief Planning Officer, or Service Manager, or Partnership Intervention Manager, or Solicitor subject to the contracts being countersigned by either and Executive Head, or Chief Planning Officer, or the Partnership Intervention Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Com 6	Antisocial Behaviour, Crime and Policing Act 2014	To take all necessary action and exercise all of the Council's powers under Parts 1, 2, 4 and 6 of the Act. (Note: applications to the Courts only to be made in consultation with the Executive Head, or Chief Planning Officer (Governance and Regulations), or Service Manager Legal, or Solicitor	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19
		To take all necessary action including the issue	Service Manager, or Housing Grants and Improvements	

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET COMMUNITY AFFAIRS PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		of notices, remedial and enforcement action as set out in Part 4 Chapter 1 and sections 63 and 68 of Part 4 Chapter 2.	Manager, or Tenancy Management Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Health Technician, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Dog Warden, Partnership Intervention Manager, or Licensing Enforcement Officer,	
Com 7	Anti-Social Behaviour Act 2003 s.43	To be an authorised officer and to give fixed penalty notices (Graffiti and fly-posting)	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Partnership Intervention Manager, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement	Cabinet 27 of 5/10/16 77 of 6/02/19 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET COMMUNITY AFFAIRS PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Com 8	Anti-Social Behaviour Act 2003 s.48	To serve defacement removal notices, including the power to enter land to the extent reasonably necessary to affix a notice to a relevant surface (Graffiti and fly- posting)	Supervisor, or Enforcement Officer, or Dog Warden, or Pest Control Officer, or Planning Enforcement Officer, , or Housing Grants and Improvement Manager, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Com 9	Anti-Social Behaviour Act 2003 s.48(4) and (5)	To remove, clear or otherwise remedy a defacement where a defacement removal notice is not complied with and to enter land to the extent reasonably necessary for that purpose	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET COMMUNITY AFFAIRS PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, , or Housing Grants and Improvement Manager, or Tenancy Management Officer	
Com 10	Anti-Social Behaviour Act 2003 s.49	To recover expenditure reasonably incurred in exercise of the power under section 48(4) (Graffiti and fly- posting)	Executive Head, or Chief Planning Officer, or Service Manager, , or Housing Grants and Improvement Manager, or Tenancy Management Officer, or Enforcement Manager, or Enforcement Operations Team Leader	Cabinet 27 of 5/10/16 77 of 6/02/19
Com 11	Domestic Violence, Crime and Victims Act 2004 s.9	To be the authorised officer to act in relation to domestic homicide reviews	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Com 12	Town and Country Planning Act 1990 s.225	To recover the costs of removing or obliterating a placard or poster from the person who displayed it or caused it to be displayed or from the person whose goods, services or concerns are publicised	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 1	Local Government Act 2000, part 1A	To use discretion in the provision of supplies and services, free of charge, to encourage local voluntary effort in litter collection	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 2	Environmental Protection Act 1990 Part IV s. 88	To be an authorised officer and to give fixed penalty notices (Leaving litter)	Executive Head, or Chief Planning Officer, or Service Manager, or Recruitment Administrator, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Community Safety Officer, or Pest Control Officer, or Dog Warden, or Planning Enforcement Officer, Housing Estates Manager, or Tenancy Management Officer, or Contract Inspector, or Parking Administrator, or Senior Administrative Assistant (Parking)	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 3	Environmental Protection Act 1990 s.92	To serve litter abatement notices	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 4	Environmental Protection Act 1990 s.93	To serve street litter control notices	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 5	Environmental Protection Act 1990 s.94	To serve street litter control notices - supplementary provisions	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 6	Local Government Act 2000, part 1A	(1) To increase the prices of refuse/garden sacks sold to the public should the wholesale price of sacks increase to the extent where he or she considers the additional cost should be passed to the consumer  (2) To reduce the price of sacks at his or her discretion for bulk sales	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 7	Local Government Act 2000, part 1A	To serve or issue any notice or document and to settle claims arising from or relating to the refuse collection function of the Council	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 8	Local Government Act 2000, part 1A	To remit charges for special collections of household waste	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 9	Refuse Disposal (Amenity) Act 1978	To deal with abandoned vehicles	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer,	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 10	deleted			
Env 11	Refuse Disposal (Amenity) Act 1978 s.3(1)	To remove abandoned vehicles	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Commercial Waste Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Housing Estates Manager, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 12	Refuse Disposal (Amenity) Act 1978 s.3(2) and 4(1)	To give or serve notices in relation to the removal of abandoned vehicles	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Commercial Waste Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Housing Estates Manager, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 13	Refuse Disposal (Amenity) Act 1978 s.4(1)	To decide whether a vehicle is in such a condition that it ought to be destroyed  To dispose of vehicles removed under section 3	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Commercial Waste Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 14	Refuse Disposal (Amenity) Act 1978 s.4(7)	To determine who to treat as the owner of a vehicle	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Waste Supervisor, or Commercial Waste Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer	
Env 15	Refuse Disposal (Amenity) Act 1978 s.5	To recover charges connected with removed vehicles from any person responsible	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Commercial Waste Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 16	Refuse Disposal (Amenity) Act 1978 s.8	To enter land for the purposes of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Commercial Waste Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Housing Estates Manager, or Landlord Services Tenancy Management Officer	
Env 17	Control of Pollution Act 1974	To issue any notice or consent pursuant to Sections 60 & 61 in accordance with criteria specified in Sections 60(3) and (4) and with BS 5228; 1975 Code of Practice	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 18	Environmental Protection Act 1990 s.6	To authorise industrial processes for air pollution control	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 19	Environmental Protection Act 1990 Part III - Statutory Nuisances and Clean Air	To enforce the provisions of Part III of the Act and to serve notices to abate statutory nuisances as defined in section 79	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Housing Grants and Improvement Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 20	Noise and Statutory Nuisance Act 1993 sch.3	To act on all matters under the Act relating to audible intruder alarms	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Performance and Asset Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Building Surveyors	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 21	Local Government Act 2000, part 1A	To remit the charge for the treatment of fleas at premises	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 22	Local Government Act 2000, part 1A	To remit the charge for the treatment of rodents at domestic premises	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 23	Public Health Act 1936 s.83, as amended by s.35 of the Public Health Act 1961	To serve notices requiring the clearing, treating and cleansing of filthy and verminous premises	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Housing Grants and Improvements Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 24	Local Government Act 2000, part 1A	To determine instances where charges should be levied for the services of the Dog Warden	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 25	Environmental Protection Act 1990 s.149	To discharge the functions imposed or conferred by Section 149 of the Act (Seizure of stray dogs)	Executive Head, or Chief Planning Officer, or Service Manager, or Streetscene Senior Supervisor, or Street Scene Supervisor, or Open Spaces Supervisor, or Dog Warden or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Environmental Health Technician, or Pest Control Officer.	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 26	Dangerous Wild Animals Act 1976 Zoo Licensing Act 1981	To administer and enforce the provisions of the Act in the name of the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Environmental Health Technician	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 27	Dogs (Fouling of Land) Act 1996	To serve fixed penalty notices	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Dog Warden, or Client Inspectors, or Contract Inspector, or Senior Administrative Assistant, or Street Scene and	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Service Manager Open Spaces, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Planning Enforcement Officer, or Housing Estates Manager, or Tenancy Management Officer, or Contract Inspector, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer	
Env 28	Local Government Act 1972 s.214 and Local Cemeteries Order 1977	To deal with grants of grave spaces and the approval of headstones and monuments	Executive Head, or Chief Planning Officer, or Service Manager, or Cemeteries Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 29	Local Government Act 2000, part 1A	To authorise night time or other closures of public conveniences where circumstances indicate that such closure is warranted	Executive Head, or Chief Planning Officer, or Service Manager, in consultation with the Local Ward Members	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 30	Noise Insulation Regulations 1975	To approve applications for payment of grants for insulation work to eligible buildings	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 31	Sunday Trading Act 1994	To enforce the provisions of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Corporate Health and Safety Advisor, or Environmental Health Officer, or Environmental Health Technician	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 32	Building Act 1984 Clean Air Act 1993 Control of Pollution Act 1974 – Other than s.60 and s.61 Control of Pollution Amendment Act 1989 Dangerous Dogs Act 1991 Deer Act 1980 Environmental Protection Act 1990 Food and Environmental Protection Act 1985 Food Safety Act 1990 and Regulations thereunder Guard Dogs Act 1975 Local Government (Miscellaneous Provisions) Acts 1976 and 1982	To serve any relevant notice, issue any necessary Authorisation, licence or permit and inspect where applicable at any reasonable time any premises and enforce the relevant legislation for the purposes specified in the Acts for environmental health functions which are a Cabinet responsibility	Executive Head, or Chief Planning Officer, or Service Manager, or Corporate Health and Safety Advisor, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Housing Grants Improvement Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
	Noise Act 1996 Offices Shops & Railway Premises Act 1963 Prevention of Damage By Pests Act 1949 Police and Criminal Justice Act 1974 Public Health Acts 1936 and 1961 Rag, Flock and Other Filling Materials Act 1951 Slaughter of Poultry Act 1967 Sunday Trading Act 1994 Water Industry Act 1991			
Env 33	Dangerous Dogs Act 1991 Environmental Protection Act 1990 Guard Dogs Act 1975	To serve any relevant notice, issue any necessary Authorisation, licence or permit and inspect where applicable at any reasonable time any premises and enforce the relevant legislation for the purposes specified in the Acts for environmental health functions which are a Cabinet responsibility	Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 34	Food Safety Act 1990, s.5 and 32	Appointment as authorised Officer for the purposes of these sections of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager	Cabinet 27 of 5/10/16 77 of 6/02/19



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			(Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Environmental Health Technician, or Corporate Health and Safety Advisor	
Env 35	Local Government Act 2000, part 1A	To issue any notice, licence, certificate or similar document and to deal with registrations in respect of any of the environmental health functions which are the responsibility of the Cabinet	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 36	Land Drainage Act 1991	To issue Notices under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 37	Land Drainage Act 1991 s.14	To carry out drainage works, improve existing water courses, or construct new works required for the drainage of any land	Executive Head, or Chief Planning Officer, or Principal Engineer, or Senior Engineer, or Assistant Engineer, or Technical Assistant	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 38	Land Drainage Act 1991 s.64	To enter land to carry out any functions under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Principal Engineer, or Senior Assistant Engineer, or Assistant Engineer, or Technical	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Assistant	
Env 39	Land Drainage Act 1991 s.25	To carry out works in default and to recover any expenses incurred in so doing	Executive Head, or Chief Planning Officer, or Service Manager, or Principal Engineer - Engineering	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 40	Building Act 1984 s.59	To serve notices requiring execution of drainage works	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Senior Building Surveyor	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 41	Local Government (Miscellaneous Provisions) Act 1976 s.35	To serve notices to clear blocked private sewers and drains	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 42	Local Government Act 2000, part 1A	To sign the following DEFRA forms relating to coast protection and land drainage schemes -  Applications for Schemes Approval  Claims for grant aid and	Executive Head, or Chief Planning Officer, or Service Manager, or Principal Engineer (Land Drainage), or Coastal Projects Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		Variation Orders		
		Countersigning of forms, where necessary	S151 Officer, or Principal Accountant, or Principal Corporate Accountant	Cabinet 27 of 5/10/16
Env 43	Local Government Act 2000, part 1A	To serve or issue any notice or document and to settle claims arising from or relating to the sewerage functions of the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Principal Engineer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 44	Land Drainage Act 1991 Part II	Authority to exercise the powers contained within Part II of the Act in order to maintain, facilitate or secure the drainage of land	Executive Head, or Chief Planning Officer, or Service Manager, or Principal Engineer, or Senior Engineer, or Assistant Engineer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 45	Coast Protection Act 1949	Authority to exercise the powers contained within Part 1 of the Act in order to maintain existing and execute new coast protection works	Service Manager, or Coastal Projects Manager	Cabinet 27 of 5/10/16
Env 46	Refuse Disposal (Amenity) Act 1978 s.2A	To be an authorised officer and to give fixed penalty notices	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Commercial Waste Officer, or Team Manager (Environmental Protection), or	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 47	Environmental Protection Act 1990 s.88	To be an authorised officer and to give fixed penalty notices (Leaving litter)	<p>Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Assistant Housing Needs Manager, or Housing Estates Manager, or Tenancy Management Officer</p> <p>Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Partnership Intervention Manager, or Pest Control Officer, or Dog Warden, or Planning Enforcement Officer, or Housing Estates Manager, or Tenancy Management Officer</p>	<p>Cabinet 27 of 5/10/16 77 of 6/02/19 83 of 6/03/19</p>

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 48	Environmental Protection Act 1990 s.92A	To serve litter clearing notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Housing Estates Manager, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 49	Environmental Protection Act 1990 s.92C(4)	To require a reasonable charge to be paid by the person on whom a litter clearing notice was served where the authority enters land and clears it of litter and refuse	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Housing Estates Manager, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 50	Environmental Protection Act 1990 s.94A	To be an authorised officer and to give fixed penalty notices (litter clearing and control notices)	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Team Manager (Environmental	Cabinet 27 of 5/10/16 77 of 6/02/19 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Partnership Intervention Manager, or Planning Enforcement Officer, or Housing Estates Manager, or Tenancy Management Officer	
Env 51	Environmental Protection Act 1990 s.46	To serve notices under section 46(1), (3)(c) or (d) or (4) (Receptacles for household waste)	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 52	Environmental Protection Act 1990 s.47	To serve notices under section 47(2) or (4) (Receptacles for Commercial or industrial waste)	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Operations Team Leader, or	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 53	Environmental Protection Act 1990 s.47ZA	To be an authorised officer and to give fixed penalty notices in respect of Section 46 and Section 47 (Receptacles for waste)	Enforcement Supervisor, Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 54	Environmental Protection Act 1990 s.59(1) and 59ZA(1)	To serve notices requiring the owner or occupier of land to remove unlawfully deposited waste and/or take steps to eliminate or reduce the consequences of the deposit of the waste	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Housing Estates	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 55	Environmental Protection Act 1990 s.59(6) and (7)	To remove waste from land and to take other steps to eliminate or reduce the consequences of the deposit of the waste	<p>Manager, or Tenancy Management Officer</p> <p>Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Open Spaces Supervisor, or Grounds Maintenance Foreman, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Partnership Intervention Manager, or Dog Warden, or Housing Estates Manager, or Tenancy Management Officer</p>	Cabinet 27 of 5/10/16 77 of 6/02/19



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 56	Environmental Protection Act 1990 s.59(6)	To recover expenses reasonably incurred by the Council in removing waste and taking other steps under section 59(6)	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Housing Estates Manager, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 57	Food Hygiene (England) Regulations 2006	Regulation 6 - to serve Hygiene Improvement Notices	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Technician holding the Higher EHRB qualification or equivalent	Cabinet 27 of 5/10/16
Env 58	Official Feed and Food Controls (England) Regulations 2009 (as amended)	Power of entry, investigation and sampling. The service of notice to require detention, destruction, special treatment, re-dispatch and other appropriate measures of non-compliant food	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 59	Meat (Enhanced Enforcement Powers) (England) Regulations 2000	The application of enforcement powers to premises other than slaughterhouses in relation to regulations controlling the production of meat.	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16
Env 60	Imported Food Regulations 1997	Regulation 6 – to examine food and to serve Notice that the food may not be removed from the premises	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16
Env 61	Imported Food Regulations 1997	Regulation 7 – to serve notice for the re-export, alternative use or destruction of certain food	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16
Env 62	Clean Neighbourhoods and Environment Act 2005 s.78	To leave the required notices at premises, and to apply to a Justice of the Peace for a warrant to enter premises for the purpose of silencing an audible intruder alarm	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 63	Clean Neighbourhoods and Environment Act 2005 s.78	To take any steps he or she thinks necessary for the purpose of silencing an audible intruder alarm	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 64	Clean Neighbourhoods and Environment Act 2005 s.79(7)	To recover from the responsible person any expenses reasonably incurred by the Council in connection with entering premises, silencing the alarm, and complying with section 79(5)	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 65	Health Act 2006, Part 1, Chapter 1, paras 1-12 and Schedules 1 and 2 Smoke Free (Premises and Enforcement) Regulations 2006 Smoke Free (Exemptions and Vehicles) Regulations 2007 Smoke Free (Penalties and Discounted Amounts) Regulations 2007 Smoke Free (Vehicle	To take all necessary action	Executive Head, or Chief Planning Officer; or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer; or Environmental Health Technician, or Housing Grants and Improvement Manager, or Building Surveyors (Improvement)	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
	Operators and Penalty Notices) Regulations 2007 Smoke Free Signs Regulations 2012 Smoke-free (Private Vehicles) Regulations 2015 and any replacement legislation (Note: function transferred to non-executive powers 2015)			
Env 66	Public Health (Control of Disease) Act 1984	Authorised officer to act in matters as specified by the Act and amendments	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 67	The Health Protection (Part 2 A Orders) Regulations 2010	Provisions in relation to orders applied for and made under Part 2 A of the Public Health (Control of disease) Act 1984 and ability to impose charges in order to recover the costs of local authority actions pursuant to a Part	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		2 A order		
Env 68	Sunbeds (Regulation) Act 2010	Powers of entry, and related matters contained within the Schedule to the Act, including inspection, and other matters relating to investigation	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Health Technician	Cabinet 27 of 5/10/16
Env 69	Pollution Prevention and Control Act 1999 and any amending Statues and Regulations	To take all necessary action and exercise all powers including the issue and service of any necessary authorisation, notice or permit, the inspection of premises and the enforcement of the relevant legislation for the purposes of the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer.	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 70	Animals Act 1971, s.7	Authorised officer to act in matters as specified by the Act to seize and sell animals trespassing on Council land	Executive Head, or Chief Planning Officer, or Service Manager, or Estates and Valuation Manager, or Housing Estates Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 71	Dogs (Fouling of Land) Act 1996	To serve Fixed Penalty Notices	Accredited Community Support Officer	Cabinet 27 of 5/10/16
Env 72	The Food Safety and Hygiene (England)	Regulation 2 -The appointment of Authorised	Service Manager, or Team Manager (Environmental	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
	Regulations 2013, EU Regulation 852/2004, EU Regulation 853/2004, EU Regulation 854/2004, EU Regulation 2073/2005, EU Regulation 2075/2005, and EU Regulation 178/2002.	Officer	Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Health Technician	
Env 73	The Food Safety and Hygiene (England) Regulations 2013	Regulation 6 - to serve a Hygiene Improvement Notice on a food business operator	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Health Technician holding the Higher EHRB qualification or equivalent.	Cabinet 27 of 5/10/16 77 of 6/02/19
		Regulation 7 – to serve a Hygiene Prohibition Order on the food business operator and to affix a copy to the premises and to issue a certificate that that the authority is satisfied that the health risk condition no longer exists	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		Regulation 8 – to serve a Hygiene Emergency Prohibition Notice on a food business operator and to affix a copy to the premises	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	
		Regulation 8 - to apply to a Magistrates Court for a Hygiene Emergency Prohibition Order	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	
		Regulation 8 - To serve a copy of a Hygiene Emergency Prohibition Order on a food business operator and to affix a copy to the premises. To issue a certificate that the authority is satisfied that the health risk no longer exists	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	
		Regulation 9 - to serve a Remedial Action Notice on a food business operator and to serve notice to	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or	

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		withdraw a Remedial Action Notice	Environmental Health Officer	
		Regulation 10 - to serve a Detention Notice on the food business operator and to serve notice to withdraw a Detention Notice	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	
		Regulation 14 - to procure samples	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Health Technicians	
		Regulation 15 -to submit samples for analysis or examination	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Health Technicians	
		Regulation 16 – to enter premises, to inspect any records, any computer and	Service Manager, or Team Manager (Environmental Protection), or Team Manager	



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		associated apparatus or material which is or has been in use in connection with the records, and to seize, detain and take away any records	(Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Environmental Health Technician	
		Regulation 16 - to apply to a justice of the peace for a warrant of entry	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with the Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Environmental Health Officer	
		Regulation 29 – to certify that any food has not been produced, processed or distributed in compliance with the Hygiene Regulations	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer.	
Env 74	The Food Safety and Hygiene (England) Regulations 2013, EU Regulation 852/2004, EU Regulation 853/2004, EU Regulation 854/2004, EU Regulation	Power to issue Simple Cautions	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), in consultation with Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
	2073/2005, EU Regulation 2075/2005, and EU Regulation 178/2002. The Food Safety Act 1990 and Regulations made thereunder.			
Env 75	The Trade in Animals and Related Products Regulations 2011	Powers of entry contained within Regulation 33, and powers of authorised Officer contained within Regulation 34. The seizure of unchecked consignments brought into the country and the detention of products of animal origin which may have been introduced in breach of the regulations	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer or Environmental Health Technician	Cabinet 27 of 5/10/16
Env 76	Transmissible Spongiform Encephalopathy (England) Regulations 2010 (as amended)	The appointment as inspectors with powers of entry, inspection, sampling and seizure. The service of notices restricting movement or the destruction of parts or whole animal body. The service of notices for the cleansing of premises,	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		vehicles and containers		
Env 77	The Official Controls (Animals, Feed and Food) (England) Regulations 2006, EU Regulation 882/2004	The appointment as inspectors and enforcement Officer for the enforcement of the regulations including power of entry, the inspection of records and the detention of food	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16
Env 78	Products of Animal Origin (Third Country Imports) (England) Regulations 2006 (as amended)	Powers of entry including applying for entry warrant. The inspection and sampling of any product. Powers in relation to documents including examination and seizure. The service of notice to deal with non-conforming products. To instruct the re-dispatch or destruction of consignments and products illegally brought in to the country. To take charge of and destroy products dangerous to animal or public health by service of notice	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 79	Products of Animal Origin (Import and Export) Regulations 1996 (as amended)	To inspect and sample products, the inspection of premises and examination of documents. To be accompanied by a representative of the European Commission. Power to deal with consignments illegally imported and posing a risk to health. The service of notice to destroy, re-export, or move food to a border inspection post	Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16
Env 80	Scrap Metal Dealers Act 2013	To issue, refuse, vary, revoke and impose conditions on any licence, to serve any notice, to supply information, to enter and inspect a site and enforce the relevant legislation for the purposes specified in the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer, or Licensing Officer, or Licensing Enforcement Officer, or Licensing Assistant.	Cabinet 27 of 5/10/16 77 of 6/02/19
Env 81	Control of Pollution (Amendment) Act 1989 S5 and 5A; Environment Protection Act 1990 S34B and 34C	To be an authorised officer and to exercise the powers conferred on the regulation authority/ enforcement authority.	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Env 82	Control of Pollution (Amendment) Act 1989 S5B and 5C; Environmental Protection Act 1990 S34ZA	To give a fixed penalty notice and discharge the functions imposed or conferred on the regulation authority/enforcement authority.	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 83 of 6/03/19
Env 83	Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015	To discharge the functions imposed or conferred on the seizure authority.	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Team Leader, or Enforcement Supervisor, or Enforcement Officer	Cabinet 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET FINANCE, CORPORATE SERVICES AND IMPROVEMENT PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
F CS & I 1	Local Authorities (Goods and Services) Act 1970	To submit tenders to other organisations for individual contracts having a gross value of less than £50,000	Chief Executive, or Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 2	Local Government Act 2000, part 1A	To sign transfers from the Council's General Account to the Payments Account and to sign cheques	S151 Officer, or Principal Accountant, or Principal Corporate Accountant	Cabinet 27 of 5/10/16
F CS & I 3	Local Government Act 2000, part 1A	To administer the national non-domestic rate, and the Council Tax	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 4	Social Security & Housing Benefits Act 1982 Social Security Act 1986 Housing Benefit (General) Regulations 1987 Council Tax Benefit (General) Regulations 1989	To carry out all functions in relation to housing and Council Tax benefits	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 5	Local Government Act 2000, part 1A Local Government and Finance Act 1988 s.49	To grant applications for: national non-domestic rate relief on hardship grounds; discretionary rate relief for a charity; and discretionary rate relief for non-profit making organisations,	Executive Head, or Chief Planning Officer, or Service Manager, or Revenues Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET FINANCE, CORPORATE SERVICES AND IMPROVEMENT PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		where the application accords with the approved policy framework		
		To refuse such applications where he or she considers that, in view of the financial position of the applicant, relief is not warranted	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
		To determine such applications where the circumstances are not covered by the approved policy framework Remarks: Subject to review of individual applications by the Appeals Committee if an applicant is aggrieved by a decision	Executive Head, or Chief Planning Officer, in consultation with the Finance, Corporate Services and Improvement Portfolio Holder	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 6	Local Government Act 2000, part 1A	To be responsible for the activities of the treasury management operations, including the exercise of the investment and borrowing powers of the Council in accordance with Council policy and professional codes of practice	S151 Officer who may delegate the operations of the treasury management to Principal Corporate Accountant, or Principal Accountant and subordinate staff	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET FINANCE, CORPORATE SERVICES AND IMPROVEMENT PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
F CS & I 7	Local Government Act 2000, part 1A	To settle any claim against the Council in respect of Building Regulations whether or not admitted by the Council's Insurers, subject to such settlement not exceeding the amount of the excess for the time being on the Council's indemnity policy	Executive Head, or Chief Planning Officer, in consultation with the Finance, Corporate Services and Improvement Portfolio Holder and S151 Officer and any other appropriate officers	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 8	Local Government and Housing Act 1989 Part IV Local Government Act 2000, part 1A	(i) To make formal determinations under Part IV of the Local Government and Housing Act 1989	S151 Officer	Cabinet 27 of 5/10/16
		(ii) To approve the form of contracts under Standing Orders as to Contracts and to determine whether it is necessary for him or her to prepare a written contract	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 9	Local Government Act 2000, part 1A	To issue and administer formal cautions in connection with any of the functions carried out by the Audit Team	Service Manager	Cabinet 27 of 5/10/16



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET FINANCE, CORPORATE SERVICES AND IMPROVEMENT PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
F CS & I 10	Local Government Act 1972 s.223 or Local Government Finance Acts 1988 and 1992	To institute, conduct, prosecute, defend and appear on behalf of the Council in Magistrates' Courts for the recovery and enforcement of council tax and national non-domestic rates, and to represent New Forest District Council, at hearings of the Valuation Tribunal pursuant to the Local Government Finances Acts 1988 and 1992 or any statutory modifications or re-enactment thereof for the time being in force	Executive Head, or Chief Planning Officer, or Service Manager, or Revenues Manager, or Senior Tax and Benefits Officer, or Tax and Benefits Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 11	Local Government (Discretionary Payments) Regulations 1996 Discretionary Financial Assistance Regulations 2001	To decide whether or not to make payments under the Regulations	S151 Officer, or Executive Head, or Chief Planning Officer, or Service Manager, or Benefits Manager	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 12	Local Government Act 2000, part 1A	To complete applications and determine the basis of the application with respect to professional client status with financial services firms	S151 Officer	Cabinet 26 of 06/09/17 and Council 27 of 11/09/17

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET FINANCE, CORPORATE SERVICES AND IMPROVEMENT PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
F CS & I 13	Detection of Fraud and Enforcement Regulations 2013	To issue administrative Penalties under the Act	Service Manager, or Corporate Fraud Officer	Cabinet 27 of 5/10/16
F CS & I 14	Local Government Finance Act 1988, as amended. s47	To make decisions in respect of the discretionary rate relief policies for public houses and small businesses	Service Manager, or Revenues Manager	Cabinet 33 of 04/10/17
F CS & I 15	Local Government Finance Act 1988, as amended. s47	To make decisions in respect of applications under the Council's discretionary rate relief policy	Service Manager, or Revenues Manager	Cabinet 41 of 01/11/17
F CS & I 16	Proceeds of Crime Act 2002 Terrorism Act 2000 Money Laundering Regulations 2007 (as amended)	To be the officer nominated to receive disclosures about money laundering/terrorist financing activity within the Council	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 17	Anti-Terrorism Crime and Security Act 2001 s.19	To obtain information for HM Revenues and Customs	Service Manager, or Corporate Fraud Officer	Cabinet 27 of 5/10/16
F CS & I 18	Local Government Act 1972 s.101 and s.222 Local Government Act 2000 s.14	To institute and conduct legal proceedings in the County Court on behalf of the Council in respect of debt recovery claims.	Service Manager, or Revenues Manager, or Account Manager, or Senior Revenues Officer	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET FINANCE, CORPORATE SERVICES AND IMPROVEMENT PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
F CS & I 19	Social Security Administration Act 1992 s.116	To issue certificates	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 6/02/19
F CS & I 20	Local Government Finance Act 1992, The Council Tax Reduction Schemes (Default Schemes) (England) Regulations 2012 and other relevant legislation, together with any subsequent amendments and re-enactments	Insofar as it is a Cabinet function and responsibility, to take all decisions and to carry out all functions in relation to the Council Tax Reduction Scheme	Executive Head, or Chief Planning Officer, or Service Manager, or Benefits Manager	Cabinet 27 of 5/10/16 77 of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 1	Housing Act 1996 Part VII (as amended)	To take any decision with respect to the Council's statutory responsibility with respect to homelessness	Service Manager, or Homelessness and Housing Advice Manager, or Homelessness and Housing Advice Officer	Cabinet 42. of 4/08/04
Hsg 2	Housing Act 1996 Part VI (as amended)	To allocate housing in accordance with the approved policies	Service Manager, or Allocations Manager, or Allocations Officer	Cabinet 27 of 5/10/16
Hsg 3	Housing Act 1985 Parts II and IV (as amended)	To deal with - (a) The exchange of tenancies between the Council's tenants and those of other Local Authorities, Housing Associations and private landlords	Service Manager, or Housing Estates Manager, or Allocations Manager, or Neighbourhood and Tenancy Management Officer	Cabinet 27 of 5/10/16
		(b) The assignment of tenancies to widows/widowers, partners, separated spouses, sons, daughters, brothers, sisters and other family members		
		(c) The allocation of garages and the issue of Notices to Quit	Service Manager, or Allocations Officer, or Housing Estates Manager, or Rent and Arrears Recovery Officer	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 4	Housing Act 1985 Part II (as amended) Housing Act 1996 Part VI	To deal with –		
		(a) The transfer of existing tenants	Service Manager, or Allocations Manager, or Allocations Officer	Cabinet 27 of 5/10/16 77. of 6/02/19
		(b) the allocation of tenancies to tenants of properties subject to Closing Orders, Demolition Orders and Undertakings not to use until the premises are made fit	Service Manager, or Allocations Manager, or Allocations Officer	
		(c) the allocation and termination of licences for Council-owned residential caravan sites	Executive Head, or Chief Planning Officer	
		(d) the allocation of estate shop tenancies and the issue of Notices to Quit	Estates and Valuation Manager, in consultation with the Executive Head, or Chief Planning Officer	
Hsg 5	Housing Act 1996 Demoted Tenancies (Review of Decisions) (England) Regulations 2004 The absolute Ground for Possession for Anti- Social Behaviour (Review Procedure) (England) Regulations 2014	Authority to apply to the County Court for the Demotion Order	Service Manager, or Housing Estates Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
		Authority to issue a Notice of Proceedings	Service Manager, or Housing Estates Manager	

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
	Flexible Tenancies (Reviews Procedure) Regulations 2012	To appoint the pool of Officer to comprise the Review Panel, and to select any two to sit to determine a review	Executive Head, or Chief Planning Officer	
		To appoint a Member of the Appeals Committee to the Review Panel, to sit with Officer to determine a review	Executive Head, or Chief Planning Officer	
		In case of urgency, to conduct the review hearing	Executive Head, or Chief Planning Officer	
Hsg 6	Housing Act 1985 Part IV (as amended)	To issue Notices to Quit and Notices of Seeking Possession and to determine whether to apply for Possession Orders	Executive Head, or Chief Planning Officer, or Service Manager, or Rent and Arrears Recovery Manager, or Housing Estates Manager, or Rent and Arrears Recovery Officer, or Tenancy Management Officer	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 7	Housing Act 1985 Part IV (as amended)	To authorise tenants to erect structures and fittings	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Estates Manager, or Tenancy Management Officer, or Rent and Arrears Recovery Officer	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 8	Town and Country Planning General Regulations 1992 Regulation 3	To submit planning applications for adaptations of property for disabled Council tenants	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77. of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 9	Housing Act 1985 Part IV (as amended)	To deal with persistent rent arrears offenders as considered appropriate rather than in accordance with the Council's procedure for dealing with cases	Executive Head, or Chief Planning Officer, or Service Manager, or Rent and Arrears Recovery Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 10	Housing Act 1985 Part II (as amended)	To set the service charge in respect of sold Council flats	Executive Head, or Chief Planning Officer, or Service Manager, or Rent Accounting and Home Ownership Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 11	Housing Act 1996 Part VI	To decide on applications for transfers by tenants with rent arrears where the tenant is eligible for transfer on medical or social grounds, and physical hardship would be caused by preventing a transfer	Service Manager, or Allocations Manager, or Allocations Officer	Cabinet 27 of 5/10/16
Hsg 12	Housing Act 1985 Parts II and IV(as amended) Housing Act 1996 Part VI	To exercise discretion in making the best use of the Council's housing stock and in appropriate circumstances  Subject to disputes over the allocation of tenancies being referred to the Housing Portfolio Holder	Service Manager, or Allocations Manager, or Housing Estates Manager	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 13	Local Government Act 2000, part 1A	To agree requests for rent-free garages subject to:- (a) the organisation being non-profit making; (b) there being no existing demand for the garage; (c) the tenancy being terminated should a demand arise for the garage	Service Manager, or Allocations Manager, or Allocations Officer, or Housing Estates Manager	Cabinet 27 of 5/10/16
Hsg 14	Landlord and Tenant Act 1985 s.19 as amended	To waive recharges for repairs undertaken by the Council on behalf of tenants in cases of severe hardship	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Estates Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 15	Local Government Act 2000, part 1A	To negotiate with other bodies the linking of their sheltered housing schemes to the Council's central control facilities	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 16	Housing Act 1985 s.123	Where a tenant has requested that the 'Right to Buy' be shared by not more than 3 members of his or her family and one or more of those members has not resided in the dwelling for the required period of 12 months, to accept a lesser period if it is considered that the circumstances are warranted	Service Manager	Cabinet 27 of 5/10/16



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 17	Housing Act 1985 Part V	To use discretion in the light of the circumstances of each individual 'Right to Buy' application in any areas not specified or covered in the Council's policies regarding the scheme	Executive Head, or Chief Planning Officer, or Service Manager in consultation with the Housing Portfolio Holder	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 18	Housing Act 1985 (as amended) and Leasehold Reform, Housing and Urban Development Act 1993 Part I	To determine whether a property is suitable for elderly persons and is thereby exempt from the Right to Buy	Service Manager	Cabinet 27 of 5/10/16
Hsg 19	Housing Act 1985 (as amended) and Leasehold Reform, Housing and Urban Development Act 1993 Part II	To exercise discretion in the issue of a Notice to respond to the offer of sale	Service Manager, or Rent Accounting and Home Ownership Manager	Cabinet 27 of 5/10/16
Hsg 20	Housing Act 1985 Part V	To decide on all offers to re-convey properties to the Council:-  (i) Where the owners are required to offer the property under a pre-emption covenant or where the owners are having difficulty selling privately and there is a clear need for the property,	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77. of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>the price to be paid for each property to be no more than the current market value with vacant possession as assessed by the Estates and Valuation Manager</p>		
		<p>(ii) Where the owners have found themselves in financial or domestic difficulties and wish to revert to being Council tenants, the properties be purchased with sitting tenants at reduced value only if there are pressing social grounds</p>		
		<p>Subject to review by the Appeals Committee where the owner is aggrieved by a decision not to re-purchase.</p>		
		<p>iii) To exercise discretion not to demand that former social tenants repay part or all of any discount due following disposal of a property previously purchased under the Right to Buy</p>		

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 21	Housing Act 1996 Part VII	To grant awards under the Deposit Guarantee Scheme for homeless households to rent private dwellings	Service Manager, or Homelessness and Housing Advice Manager	Cabinet 27 of 5/10/16
Hsg 22	Housing Act 1985 Part II Housing Act 1988	To approve the costs to be reimbursed under the incentive to move to smaller accommodation scheme, up to a maximum of £3,000	Service Manager, or Allocations Manager, or Homelessness and Housing Advice Manager	Cabinet 27 of 5/10/16
Hsg 23	Rent Act 1977	Where the Council becomes liable as landlord for payment of Council Tax, to serve the appropriate notices on tenants increasing service charges by an appropriate amount to recover the cost in full	Service Manager, or Rent Accounting and Home Ownership Manager	Cabinet 27 of 5/10/16
Hsg 24	Housing Act 1988 as amended	To transfer Social Housing Grant from approved schemes to alternative schemes in order to ensure the use of funds in the appropriate financial year	Service Manager, or Housing Strategy and Development Manager, in consultation with the Housing Services Portfolio Holder and the appropriate Ward Members	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 25	Local Government Finance Act 1988 s.114	To sign applications for Social Housing Grant scheme approvals and grant claims	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Strategy and Development Manager, or Principal Accountant, or Principal Corporate Accountant, or Principal Service Accountant	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 26	Local Government Act 2000, part 1A	To submit bids for Supplementary Credit Approvals for housing schemes	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 27	Local Government Act 2000, part 1A	To grant wayleaves across the Council's estates	Executive Head, or Chief Planning Officer, or Service Manager, or Estates and Valuation Manager	Cabinet 27. of 5/10/16 77. of 6/02/19
Hsg 28	Local Government Act 2000, part 1A	To assess rent payable to the owners of unfurnished properties let to the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Estates and Valuation Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 29	Local Government Act 2000, part 1A	To institute foreclosure proceedings in respect of housing advance accounts where it is considered reasonable to do so to protect the Council's interest	Executive Head, or Chief Planning Officer, or Service Manager, or S 151 Officer, or Principal Accountant, or Principal Corporate Accountant	Cabinet 27 of 5/10/16 77. of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 30	Housing Act 1985 Part X (as amended)	To carry out all the functions of the Council under Part X (overcrowding)	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Grants and Improvement Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 31	Housing Act 1985 Part IX	To carry out all the functions of the Council under Part IX (Slum Clearances) of the Housing Act 1985	Executive Head, or Chief Planning Officer, or Service Manager, or Strategic Housing Services Manager or Housing Grants and Improvement Manager, in consultation with the Housing Services Portfolio holder and the local ward councillor(s) if the Service Manager considers the case to be of a marginal/sensitive nature and subject to review by Appeals Committee where an applicant is aggrieved by a decision.	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 32	Local Government (Miscellaneous Provisions) Act 1976 s.33 as amended	To carry out all the functions of the Council for the continuation of the supply of water, gas or electricity	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Grants and Improvement Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 33	Local Government (Miscellaneous Provisions) Act 1982 Part XI as amended	To carry out all the functions of the Council under Part XI (Prevention of Unauthorised Entry or Danger to Public Health)	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Grants and Improvement Manager	Cabinet 27 of 5/10/16 77. of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 34	Building Act 1984 s.76 as amended	To carry out all the functions of the Council to require immediate works to repair defective premises	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Grants and Improvement Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 35	Housing Grants, Construction and Regeneration Act 1996 Part 1	All the powers under Part 1 of the Act (Grants for renewal of private sector housing), subject to review of individual applications by the Appeals Committee if an applicant is aggrieved by a decision	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Grants and Improvements Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 36	Housing Act 1985 Housing Grants, Construction and Regeneration Act 1996 Housing (Fitness Enforcement Procedures) Order 1996	All the powers under the Order ("minded to take action" notices)	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Grants and Improvement Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 37	Housing Act 2004	To issue, serve, vary or revoke any order or notice, issue any authorisation, license or permit, carry out inspections or take any other action under the Act To make all necessary applications to Court under the Act, to require production of documents and to recover any expenses incurred by the	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Grants and Improvement Manager, or Housing Standards Officer  Executive Head, or Chief Planning Officer, or Service Manager, or Strategic Housing Services Manager, or Housing Grants and Improvement	Cabinet 27 of 5/10/16 77. of 6/02/19  Cabinet 27 of 5/10/16 77. of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		Council	Manager, or Housing Standards Officer, or Solicitors	
Hsg 38	Local Government Act 1972 s.101 and s.222 Local Government Act 2000 s.14	To institute and conduct legal proceedings in the County Court on behalf of the Council in respect of possession claims arising out of rent arrears	Service Manager, or Rent and Arrears Recovery Officer, in consultation with the Rent and Arrears Recovery Manager	Cabinet 27 of 5/10/16 83 of 6/03/19
Hsg 39	County Courts Act 1984 s.60 (2)	To address the District Judge in action for:  (a) the recovery of possession of a house belonging to the Council  (b) The recovery of any rent, mesne profits, damages or other sums claimed by the Council in respect of the occupation of any person of such a house	Service Manager, or Rent Accounting and Home Ownership Manager, or Rent and Arrears Recovery Officer, or Housing Estates Manager, or Tenancy Management Officer, or Solicitor	Cabinet 27 of 5/10/16 83 of 6/03/19
Hsg 40	Housing Act 1996	To take all necessary action with respect to Introductory Tenancies including the service of Notices, the making of determinations, the holding of reviews and the seeking of possession	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Estates Manager, or Rent and Arrears Recovery Manager, or Tenancy Management Officer, or Rent and Arrears Recovery Officer	Cabinet 27 of 5/10/16 77. of 6/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg 41	Localism Act 2014 Local Government Act 2000	To take all decisions including entering into all necessary contracts and agreements to implement the agreed housing strategy	Executive Head, or Chief Planning Officer, or Service Manager, or Housing Strategy and Development Manager	Cabinet 27 of 5/10/16 77. of 6/02/19
Hsg 42	The Energy Act 2013	To carry out all the functions to the council in relation to the premises being equipped with smoke and carbon monoxide alarms	Executive Head, or Service Manager or Housing Grants and Improvements Manager	Cabinet 83 of 6/03/19
Hsg 43	Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015	To carry out all the function to the council in relation to the minimum level of energy efficiency for Private Rented Sector Properties	Executive Head, or Service Manager or Housing Grants and Improvements Manager	Cabinet 83 of 6/03/19
Hsg 44	Housing and Planning Act 2016	To carry out all the functions to the council in relation to Financial penalties, Rent repayment orders, banning orders and the database of rogue landlords	Executive Head, or Service Manager or Housing Grants and Improvements Manager	Cabinet 83 of 6/03/19
Hsg 45	Law of Property Act 1925	To deal with Enforced sale following non-compliance with a notice served under PDPA49, BA84, EPA1990	Executive Head, or Service Manager or Housing Grants and Improvements Manager, or Solicitor	Cabinet 83 of 6/03/19
Hsg 46	Protection from Eviction Act 1977	To carry out all functions to the council in relation to	Executive Head, or Service Manager, or Housing Grants and	Cabinet



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET HOUSING SERVICES PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		Harassment and Unlawful eviction	Improvements Manager, or Solicitor	83 of 6/03/19
Hsg 47	Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014	To carry out all functions to the council in relation to the requirement for agents to belong to a scheme	Executive Head, or Service Manager or Housing Grants and Improvements Manager	Cabinet 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET LEADER AND CORPORATE AFFAIRS PORTFOLIO

<b>No</b>	<b>Source</b>	<b>Power Delegated</b>	<b>Delegation to</b>	<b>Minute Reference</b>
Ldr 1	Local Government Act 2000, part 1A	To approve Leader+ Projects as being in conformity with EU Regulations (and reject those not so conforming) and to issue offer and refusal letters (as appropriate) in respect of grant funding	Service Manager, or Business Support Manager and the Leader+ Programme Manager	Cabinet 27 of 5/10/16
Ldr 2	Local Government Act 2000, part 1A	To provide services to Parish Councils on a free or repayment basis	Chief Executive, or Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 6/02/19
Ldr 3	Local Government Act 2000, part 1A	Civil Defence - designation as District Controller for civil defence and emergency purposes	Chief Executive	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET LEISURE AND WELLBEING PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Leis 1	Local Government Act 2000, part 1A	To determine within the Council's Leisure Grant Aid Scheme, Revenue Grants of £1,000 or less excluding any requests for grants towards annual running costs and to advise Parish and Town Councils	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 5/02/19
Leis 2	Local Government Act 2000, part 1A	To approve, within the Council's Leisure Grant Aid Scheme, individual awards up to a maximum of £300	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 5/02/19
Leis 3	Local Government Act 2000, part 1A	To establish charges for special events and programmes	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 5/02/19 83 of 6/03/19
Leis 4	Local Government Act 2000, part 1A	To authorise refunds or reductions of fees paid for the use of facilities under the control of the Cabinet, where the use of the facility is withdrawn, curtailed or cancelled	Multi-Centre Managers	Cabinet 27 of 5/10/16 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET LEISURE AND WELLBEING PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
Leis 5	Local Government Act 2000, part 1A	To negotiate with prospective Concessionaires the detail of agreements for concessions under the control of the Cabinet, subject to the provisions of the Standing Orders relating to Contracts and the Financial Regulations	Executive Head, or Chief Planning Officer	Cabinet 201. of 8/04/02 27 of 5/10/16 77 of 5/02/19 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET LOCAL ECONOMIC DEVELOPMENT, PROPERTY AND INNOVATION PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
LED 1	Local Government Act 2000, part 1A	To settle terms for transactions for freehold or leasehold acquisitions and disposals not exceeding £30,000 where such acquisitions/disposals are in accordance with approved policy and subject, in the case of acquisitions, to budget provision	Executive Head, or Chief Planning Officer, or Service Manager, or Estates and Valuation Manager, in consultation with the appropriate Portfolio Holder	Cabinet 27 of 5/10/16 77 of 06/02/19
LED 2	Local Government Act 2000, part 1A	To make asset purchases and investments under the Asset Investment Strategy up to the value of £5 million	Chief Executive, Executive Head, of Governance and Regulation and S151 Officer in consultation with the Local Economic Development, Property and Innovation Portfolio Holder, the Finance, Corporate Services and Improvement Portfolio Holder and Chairman of the Corporate Overview and Scrutiny Panel.	Cabinet 62 of 20/02/17 and Council 51 of 20/02/17 Cabinet 77 of 06/02/19
LED 3	Local Government Act 2000, part 1A	To take all decisions in respect of the Residential Property Investment Strategy, including entering into all necessary contracts and agreements; the setting up of the	Chief Executive, the Executive Head Governance and Regulation, and the S151 Officer, in consultation with 2 Portfolio Holders determined by the Leader of the Council	Cabinet 55 of 06/12/17 and Council 41 of 11/12/17 Cabinet 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET LOCAL ECONOMIC DEVELOPMENT, PROPERTY AND INNOVATION PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		Wholly Owned Company (and subsidiaries) and related costs, to implement the Residential Property Asset Investment Strategy		
		To appoint 2 Cabinet Members and 2 senior officers to the board of directors of the Wholly Owned Company, following its incorporation	Chief Executive in consultation with the Leader of the Council	
LED 4	Local Government Act 2000, part 1A	Hythe Marina - to act on behalf of the Council (as landowner) to determine proposed revisions which have no significant impact on the character of the development	Executive Head, or Chief Planning Officer, or Service Manager, or Estates and Valuation Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
LED 5	Clean Neighbourhoods and Environment Act 2005 s.6	To enter into Wayleave Agreements	Executive Head, or Chief Planning Officer, or Service Manager, or Estates and Valuation Manager, subject to Executive Head, or Chief Planning Officer being satisfied as to the content of the Agreement	Cabinet 27 of 5/10/16 77 of 06/02/19
LED 6	Local Government Act 2000, part 1A	To decide what controls, restrictions, obligations	Executive Head, or Chief Planning Officer, or Service	Cabinet 27 of 5/10/16

**FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET  
LOCAL ECONOMIC DEVELOPMENT, PROPERTY AND INNOVATION PORTFOLIO**

No	Source	Power Delegated	Delegated to	Minute Reference
		and terms should appear in all legal documentation for all land transactions and all other legal transactions to protect the interests of the Council	Manager, or Solicitor	77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 1	Town and Country Planning (Environmental Impact Assessment) Regulations 1999	<p>(1) To determine whether a proposed development falls within Schedule 2 of the Regulations; and</p> <p>(2) To determine whether to require an environmental impact assessment in respect of proposed developments falling within the scope of Schedule 2 of the regulations</p>	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Planning Implementation and Enforcement Team Leader, or Principal Development Management Officer, or Senior Development Management Officer, or Senior Enforcement Officer	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19
P & I 2	Building Act 1984	To approve or reject, where appropriate, all applications under Building Regulations	Executive Head, or Chief Planning Officer, or Service Manager, or Building Control Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 3	Local Government Act 2000, part 1A	<p>Except in the case of the Council's own schemes, to authorise relaxation of Building Regulations as necessary</p> <p>Remarks: Relaxations relating to the Council's own schemes require approval of Cabinet</p>	Executive Head, or Chief Planning Officer, or Service Manager, or Building Control Manager	Cabinet 27 of 5/10/16 77 of 06/02/19



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 4	Building Act 1984	To permit deviations from the approval in the course of building works	Building Control Manager, or Senior Building Control Surveyor, or District Building Control Surveyors, or Assistant Building Control Surveyors	Cabinet 27 of 5/10/16
P & I 5	Water Act 1989 (s.69 Schedule 8)	To serve notices and take action with respect to buildings over sewers  Remarks: Formerly part of Building Act 1984 (s.18)	Executive Head, or Chief Planning Officer, or Service Manager, or Building Control Manager, or Senior Building Control Surveyor	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 6	Building Act 1984	To serve notices and to take action under the following: Section 8 - Relaxation of Building Regulations Section 11 - Type relaxation of Building Regulations Section 16 - Passing or rejection of plans Section 19 - Buildings constructed of materials regarded as 'short lived' Section 21 - New buildings to be provided with satisfactory drainage Section 24 - Provision of exits Section 25 - New houses to be provided with	Executive Head, or Chief Planning Officer, or Service Manager, or Building Control Manager, or Senior Building Control Surveyor	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>sufficient water supply            Section 60 - Provisions of soil pipes and ventilating shafts            Section 70 - Food storage accommodation in houses            Section 71 - Exits and entrances to certain public buildings            Section 72 - Means of escape in case of fire from certain high buildings            Section 73 - New buildings over-reaching adjacent chimneys            Section 74 - Cellars and Rooms below sub-soil level            Section 78 - Emergency measures to deal with dangerous buildings            Section 79 - Ruinous and dilapidated buildings etc</p>		
P & I 7	Building Act 1984	<p>To serve notices and to take action under the following:            Section 32 - Deposit of plans to be of no effect            Section 36 - Power to require removal or alteration of work not in conformity with Building Regulations;</p>	<p>Executive Head, or Chief Planning Officer, or Service Manager, Building Control Manager, or Senior Building Control Surveyor</p>	<p>Cabinet            27 of 5/10/16            77 of 06/02/19</p>

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		Section 77 - Dangerous and dilapidated buildings and structures Sections 80 and 81 - Demolitions		
P & I 8	Hampshire Act 1983	To serve notices and to take action under the following: Section 11 – Underground car parks (fire precautions); Section 12 – Access for fire fighting vehicles and equipment; Section 13 – Fire precautions in large buildings	Executive Head, or Chief Planning Officer, or Service Manager, or Building Control Manager, or Senior Building Control Surveyor	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 9	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.89) Town and Country Planning Act 1990 (s.330(1) and s.330(2)) Miscellaneous Provisions Act 1976 (s.16)	To require information on interests in land and its use	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 10	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.88(5))	To enter land for the purpose of surveying the land or estimating its value for compensation for acquisition	Executive Head, or Chief Planning Officer or his or her duly authorised Agent	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 11	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.88A)	To seek Warrants to Enter Land for Section 88 purposes	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 12	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.88B(1) and s.88B(8))	To serve Notice of Intended Entry and Notice of Intention to Carry out Works	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 13	Local Government (Miscellaneous Provisions) Act 1976 (s.23 and 24)	(1) Dangerous trees - to exercise the powers conferred on the Council under Sections 23 and 24 of the Act; to take such steps as may be appropriate for the purposes of Sections 23(1), 23(2) and 23(4) of the Act, and to take the specified steps in the event of the failure of a person to comply with a notice served pursuant to Section 23(3) of the Act	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		Remarks: Subject to Council's Financial Regulations and Standing Orders as to Contracts		
		(2) To recover expenses reasonably incurred by the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 14	Electricity Act 1989 (s.37) Town and Country Planning Act 1990 (s.90(2))	To respond to consultations under s.37 of the Electricity Act	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Planning Implementation and Enforcement Team Leader, or Principal Development Management Officer, or Senior Development Management Officer, or Senior Enforcement Officer, or Development Management Officer, or Implementation Officer, or Site Monitoring Officer, or Planning Case Officer, or Enforcement Case Officer	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19
P & I 15	Acquisition of Land Act 1981 s.5A Planning and Compulsory Purchase Act 2004 s.105	To require information about interests in land which it is intended to compulsory purchase	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 16	Building Act 1984 Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Hazardous Substances) Act 1990 Local Government (Miscellaneous Provisions) Act 1976 Planning and Compulsory Purchase Act 2004	To initiate and undertake prosecutions on behalf of the authority pursuant to these Acts and any amending legislation, or Regulations made pursuant to the Acts on matters which are the responsibility of the Cabinet	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Planning Implementation and Enforcement Team Leader, or Principal Development Management Officer, or Senior Development Management Officer, or Senior Enforcement Officer, or Development Management Officer, or Implementation Officer, or Site Monitoring Officer, or Planning Case Officer, or Enforcement Case Officer, or Senior Arboriculturist, or Arboriculturist, or Senior Conservation and Building Design Officer, or Conservation Officer, or Building Control Manager, or Senior Building Control Surveyor, or District Building Control Surveyors	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19
P & I 17	Town and Country Planning Act 1990 s.304 Planning and Compulsory Purchase Act 2004 s.115	To pay grants for research and educational assistance	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 18	Local Government Act 2000, part 1A	To select footway lighting improvement schemes within the development programme budget	Executive Head, or Chief Planning Officer, or Service Manager, in consultation with the Town or Parish Council, or Planning and Infrastructure Portfolio Holder following receipt of suggestions from Town or Parish Councils	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 19	Town Police Clauses Act 1847 s.21 Hampshire Act 1983 s.68	To make and sign an Order to bring into effect temporary road closures, subject to:  i) no objections being received from the Police or County Council within 28 days  ii) prior consultation with District and County Councillors whose wards are directly affected; and  iii) prior consultation with local transport operators, the Fire Service, Ambulance Service, Town/Parish Council, and Chamber of Commerce	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager, or Senior Development Management Officer, or Senior Enforcement Officer, or Planning Implementation and Enforcement Team Leader	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 20	Road Traffic Regulation Act 1984 s.69	To serve notices and to take action for the removal of signs for the guidance or direction of road users	Executive Head, or Chief Planning Officer, or Service Manager, or Senior Development Management Officer, or Senior Enforcement Officer, or Planning Implementation and Enforcement Team Leader	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19
P & I 21	Local Government Act 2000, part 1A	To ensure that the Council's obligations under the County Council's agency agreements are discharged	Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 22	Public Health Act 1925 s.18	To issue notices and documents relating to street names and numbers	Executive Head, or Chief Planning Officer, or Service Manager, or Senior Systems Support Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 23	Land Charges Act 1972	To do all matters relating to the registration of Local Land Charges and the issue of the official certificate of search against the Register	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 24	Local Government Act 2000, part 1A	To make Off-Street Parking Places Orders or Amendment Orders in cases where no objections to published proposals have been received	Chief Executive, or Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 06/02/19



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 25	Local Government Act 2000, part 1A	To authorise the removal of vehicles, trailers, etc left in the Council's car parks	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Operations Administrator, or Enforcement Operations Administrations Officer	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 26	Road Traffic Regulation Act 1984 s.112(2)	To request information as to the identity of a driver	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Operations Administrator, or Enforcement Operations Administrations Officer	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 27	Local Government Act 2000, part 1A	To grant consents and to agree terms for the occasional use of car parks for exhibitions and similar events	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 28	Civil Enforcement of Parking Contraventions General Regulations 2007, regulations 5, 12, 19 and 21	To serve notices and certificates, to consider representations, and to take all action on behalf of the Council	Service Manager, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Senior Civil Enforcement Officer, or Civil Enforcement Officer, or Enforcement Operations Administrator, or Enforcement Operations Administrations Officer	Cabinet 27 of 5/10/16

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 29	Civil Enforcement of Parking Contraventions General Regulations 2007, regulation 22	To recover the increased penalty charge provided for in the charge certificate	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Operations Administrator, or Enforcement Operations Administrations Officer	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 30	Civil Enforcement of Parking Contraventions Representations and Appeals Regulations 2007, Schedule paragraphs 12-15	To take all action on behalf of the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Enforcement Manager, or Enforcement Operations Administrator, or Enforcement Operations Administrations Officer	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 31	Civil Enforcement of Parking Contraventions Representations and Appeals Regulations 2007, regulation 7 (5)	To consider the recommendations of an adjudicator and decide whether to accept those recommendations	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 32	Goods Vehicles (Licensing of Operators) Act 1995	To make representations on applications relating to the issue of new or variations to existing operators' licences  To determine whether or not an objection to an application for or variation of a goods vehicle	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Planning Implementation and Enforcement Team Leader, or Principal Development Management Officer, or Senior Development Management Officer, or Senior Enforcement	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		operator's licence is appropriate and, if so, to make objection on appropriate grounds on behalf of the Council to the grant or variation of a license (in consultation with local ward members)	Officer in consultation with Service Manager, or Team Manager (Environmental Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	
		In the event of non-agreement between or with local Members, to refer to the relevant Portfolio Holder for determination whether to make representations at an inquiry to support the objection		
P & I 33	Local Government Act 2000, part 1A	In appropriate cases to inform the Licensing Authority that the Council, without prejudice to its formal consideration of the licence application, has no objection to a temporary heavy goods licence being issued, for not more than three months, to an operator	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Principal Development Management Officer, or Planning Implementation and Enforcement Team Leader, or Senior Development Management Officer, or Senior Enforcement Officer in consultation with Service Manager, or Team Manager (Environmental	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	
P & I 34	Public Health Acts Amendment Act 1890 s.42	To enter into sponsorship agreements for the enhancement of roundabouts subject to no objections being received from the Police, County Council, Town or Parish Council and, in the National Park Area, the New Forest National Park Authority	Executive Head, or Chief Planning Officer in consultation with Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 35	Party Wall etc Act 1996	To be the "Appointing Officer" for the purposes of the Act	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 36	Highways Act 1980 Road Traffic Regulations Act 1984 Local Authorities (Goods and Services) Act 1970 Local Government Act 1972 s.101 Local Government Act 2000, s.15 Local Authorities (Arrangements for the Discharge of Functions)	The functions referred to in the Agency Agreement (subject to the general qualifications and procedures contained therein) (with the exception of the temporary traffic management measures which are subject to separate delegation arrangements)	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
	(England) Regulations 2000			
P & I 37	Highways Act 1980 s.278	To enter into Agreements to execute improvement schemes on the public highway, subject to prior approval from the Portfolio Holder	Chief Executive, or Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
		To enter into alternative arrangements with Hampshire County Council for minor improvement schemes	Executive Head, or Chief Planning Officer, or Service Manager	
P & I 38	Road Traffic Regulation Act 1984 (as amended)	To make and sign an Order, or to give Notice to bring into effect temporary road closures, temporary traffic diversions, temporary speed limits and other temporary traffic management measures subject to:  i) no objections being received during the consultation period from either the Police or Hampshire County Council  ii) Local District and	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		County Members whose wards are directly affected being consulted and their views being carefully considered		
		iii) Principal local public transport operators being consulted and their views being carefully considered		
P & I 39	Planning (Listed Buildings and Conservation Areas) Act 1990	To offer historic building grants	Executive Head, or Chief Planning Officer, or Service Manager	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 40	Clean Neighbourhoods and Environment Act 2005 s.6	To be an authorised officer and to give fixed penalty notices (nuisance parking)	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisors, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Senior Civil Enforcement Officer, or Civil Enforcement Officer, or Enforcement Operations Administrator, or Enforcement Operations Administrations Officer, or Planning Enforcement Officer, or Team Manager (Environmental Protection), or Team Manager (Food and	Cabinet 27 of 5/10/16 77 of 06/02/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
			Safety), or Senior Environmental Health Officer, or Environmental Health Officer	
P & I 41	Clean Neighbourhoods and Environment Act 2005 s.4(5)	To authorise restricted works to be carried out later than 72 hours after an accident or breakdown	Executive Head, or Chief Planning Officer, or Service Manager, or Street Scene and Waste Supervisor, or Enforcement Manager, or Enforcement Operations Team Leader, or Enforcement Supervisor, or Enforcement Officer, or Planning Enforcement Officer Protection), or Team Manager (Food and Safety), or Senior Environmental Health Officer, or Environmental Health Officer	Cabinet 27 of 5/10/16 77 of 06/02/19
P & I 42	Town and Country Planning (Control of Advertisements) (England) Regulations 2007	To issue discontinuance notices where the compensation provisions set in the Town and Country Planning Act 1990, s. 223 do not apply	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Planning Implementation and Enforcement Team Leader, or Principal Development Management Officer, or Senior Development Management Officer, or Senior Enforcement Officer following consultation with the Executive Head, or Chief Planning Officer	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19

## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
P & I 43	Planning Acts (as defined in the Town and Country Planning Act 1990 as amended)	To issue formal cautions in respect of offences committed under the Planning Acts, subject to the Executive Head, or Chief Planning Officer or Service Manager, or Solicitor being satisfied that offences have taken place	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Principal Development Management Officer, or Planning Implementation and Enforcement Team Leader, or Senior Development Management Officer, or Senior Enforcement Officer, or Solicitor	Cabinet 27 of 5/10/16 77 of 06/02/19 83 of 6/03/19
P & I 44	Community Infrastructure Levy Regulations 2010	To exercise all powers and duties and to take all necessary action and make all decisions including the making of all determinations and declarations, the service, variation and withdrawal of notices except the following:  The determination and granting of applications for relief in exceptional circumstances	Executive Head, or Chief Planning Officer, or Service Manager, or Planning Implementation and Enforcement Team Leader  Executive Head, or Chief Planning Officer, or Service Manager, or Planning Implementation and Enforcement Team Leader in consultation with the Chairman of the Planning Committee	Cabinet 27 of 5/10/16 61 of 05/12/18 77 of 06/02/19 83 of 6/03/19
		To make all necessary	Executive Head, or Chief	



## FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET PLANNING AND INFRASTRUCTURE PORTFOLIO

No	Source	Power Delegated	Delegated to	Minute Reference
		applications through the courts and to take all such actions as may be necessary for implementation	Planning Officer, or Service Manager, or Solicitor, or Planning Implementation and Enforcement Team Leader	
P & I 45	Planning and Compulsory Purchase Act 2004 – as amended by the Localism Act 2012	To agree to proposed changes/ modifications to the submitted Development Plan document, to address issues of ‘soundness’, during the public Examination of the document.	Chief Planning Officer, or Executive Head, or Service Manager, or Principal Policy Planner in consultation with the Planning and Infrastructure Portfolio Holder.	Cabinet 77 of 06/02/19

## **ADDENDUM TO SCHEME OF DELEGATION OF POWERS TO OFFICERS**

### **MINUTES THAT HAVE A GENERAL EFFECT ON THE SCHEME**

- (a) That all Service Managers be authorised to make decisions and to take all necessary action which they were previously authorised to take in their roles prior to 1 March 2016; and**
- (b) That, with effect from the date of this resolution, all Service Managers be authorised to take decisions and to take all necessary action that all Heads of Service were previously empowered to take, before such Heads of Service were appointed as Executive Heads.**

Council Minute 73 of 18/4/16

Cabinet Minute 63 of 6/4/16

**General updating to take account of changes in legislation and staffing structures/job titles. Taken by Executive Head, Governance and Regulation.**

Executive Decision March 2018.

**That the Council's scheme of delegation of powers to officers, that are the responsibility of the Cabinet/Council, be amended to the effect that the Chief Planning Officer be delegated the same powers, throughout, as the Executive Heads; and**

Council Minute 63 of 25/02/19

Cabinet Minute 77 of 06/02/19

**That the Scheme of Delegation of Power to Officers, that were the responsibility of the Cabinet, be updated as shown in Appendix 1 to Report item 6 to the Cabinet; and**

**That authorisation be given to update job titles to take account of recent changes in the Planning Service (Multiple changes agreed)**

Cabinet Minute 83 of 6/03/19