



HART DISTRICT COUNCIL

Scheme of Delegation to Officers

May 2011

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GENERAL PROVISIONS

1. Officers having delegated powers each have a power of sub-delegating those powers to a nominated Officer or Officers to such extent as they shall determine, but the officer granting the sub-delegation shall remain responsible for any decision taken by the nominated officer. Each sub-delegation shall be made in writing, a copy of which shall be provided to the Monitoring Officer.
2. In this Scheme a reference to any statute, regulation (whether domestic or EU), EU directive, or Code of Conduct, or Practice, issued by any body discharging a public function, includes any subsequent amendment or replacement.
3. Exercise of delegated powers is without prejudice to the right of the Council, the Chief Executive or the body or person granting delegated powers to withdraw or amend any such delegation, and the person with a delegated power may decline to exercise it and refer the decision to the appropriate Committee, Cabinet or Cabinet Member or other authorised Officer.
4. In addition to these delegated powers, powers may also be exercisable by officers through Financial Regulations, Contract Standing Orders, and as elsewhere set out in the Council's Constitution.
5. Delegated powers shall be exercised in accordance with Standing Orders, Financial Regulations and any other guidance given by the Council, the Chief Executive, the Chief Financial Officer or the Monitoring Officer. Any expenditure shall be within the appropriate budgetary provision and otherwise in accordance with this paragraph and (save for emergency expenditure) delegated powers shall be so limited.
6. Where a delegated power is expressed to be exercisable after consultation with the Chairman of a Committee, or a Cabinet Member, and in the absence of that Chairman or Cabinet Member the consultation shall take place with the Vice-Chairman (where appropriate) the Leader of the Council, or the Deputy Leader.
7. Any variation to the proper or customary procedure will not of itself make ineffective any action or decision taken in good faith by an Officer in the exercise of his delegated authority.
8. For the effective discharge of Council business the Chief Executive and in his absence any Corporate Director (after consultation with the Monitoring Officer or his deputy) may determine the interpretation and scope of provisions in the Constitution generally and of the delegated powers in this Scheme and such determination when reduced into writing shall be conclusive. A copy of each such determination shall be given to the Monitoring Officer.

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
1.	Appointment of Consultants and Contractors	Power to appoint consultants and contractors within budgetary provision, and in accordance with Financial Regulations and Contract Standing Orders.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
2.	Budgets & Finance	Power to vary between detailed heads of expenditure within each cost centre in accordance with the Financial Regulations.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
3.	Budgets & Finance	Power, in consultation with the Chief Financial Officer to vary relevant non-statutory or prescribed charges, except for car parking, and meals on wheels.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
4.	Budgets & Finance	Power, after consultation with the relevant Cabinet Member, to authorise commencement of approved capital projects that are within the approved estimate, in accordance with the appropriate financial regulations and contract standing orders.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
5.	Budgets & Finance	Power to authorise and incur expenditure subject to budgetary provision and in accordance with financial regulations.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
6.	Building Control	Power, in consultation with the Cabinet member for Planning, to approve changes to the Building Control Scheme of Prices	Chief Executive, any Corporate Director, or Head of Planning
7.	Building Control	Power to take any action in respect of the demolition of retaining walls near streets.	Chief Executive, any Corporate Director, or Head of Planning

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
8.	Building Control	Power to maintain a register of work carried out by the Fenestration Self Assessment Scheme (FENSA) members in respect of double-glazing.	Chief Executive, any Corporate Director, or Head of Planning
9.	Building Control	Power to maintain a register of work carried out in respect of cavity wall insulation	Chief Executive, any Corporate Director, or Head of Planning
10.	Building Control	Power to administer the provisions in respect of Building Regulation charges.	Chief Executive, any Corporate Director, or Head of Planning
11.	Building Control	Power to take action in connection with the control of demolitions (after consultation with the Head of Technical Services).	Chief Executive, any Corporate Director, or Head of Planning
12.	Building Control	Power to employ the services of private contractors to carry out plan vetting, site inspections and other related work to ensure the fulfilment of the Council's responsibilities under the Building Regulations.	Chief Executive, any Corporate Director, or Head of Planning
13.	Building Control	Power to exercise the following function relative to the Building Acts and Building Regulations: <ul style="list-style-type: none"> • to administer and enforce the regulations; • to administer and enforce the Building Regulations in respect of Approved Inspectors; • to administer reversions from Approved Inspectors; (<i>Explanation: power to take enforcement action on behalf of Approved Inspectors</i>) • to pass or reject a deposited plan in pursuance of any relevant statutory provisions and receive and validate Building Notices; • to make decisions on or to refer to the Secretary of State applications for regulations to be relaxed or 	Chief Executive, any Corporate Director, or Head of Planning

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<p>dispensed with;</p> <ul style="list-style-type: none"> to engage qualified engineering consultants to check structural calculations where necessary; to serve notices and to take any other action in respect of means of escape from fire, unauthorised work and plans of no effect; to authorise the institution of legal proceedings in respect of any contraventions of Building Regulations. 	
14.	Building Control	Power to determine applications for the dispensation of Building Regulations, to attach conditions to approvals and to accept certificates from Approved Inspectors.	Chief Executive, any Corporate Director, or Head of Planning
15.	Building Control	Power to enforce provisions relating to the protection and securing of derelict and dilapidated buildings and sites.	Chief Executive, any Corporate Director, or Head of Planning
16.	Building Control	Power to enforce powers relating to provision of adequate means of escape from fire in existing and proposed buildings and to require modification to chimneys where they operate inefficiently.	Chief Executive, any Corporate Director, or Head of Planning
17.	Building Control	Power to take action in respect of dangerous buildings, structures and excavations.	Chief Executive, any Corporate Director, or Head of Planning
18.	Building Control	Power to administer, after consultation with Hampshire Fire and Rescue, provisions with regard to access for the Fire Brigade and fire precautions in certain large buildings.	Chief Executive, any Corporate Director, or Head of Planning
19.	Building Control	Power to issue regularisation certificates under the Building Regulations. (<i>Explanation: Certificates that work has been carried out in accordance with the Building Regulations</i>)	Chief Executive, any Corporate Director, or Head of Planning
20.	Community Safety	Power to determine requests from Hampshire Police for authorisations to utilise	Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		the power to disperse groups under the Anti-social Behaviour Act 2003 s30; and;	
21.	Community Safety	Power to make Closure Orders in relation to noisy premises to which the Anti-social Behaviour Act 2003 ss40 & 41 apply and to authorise Environmental Health Officers to exercise the power or duty of the Chief Executive under ss40 & 41 of the Act.	Chief Executive
22.	Community Safety	Power to apply to the Courts for an Anti-Social Behaviour Order.	Chief Executive, any Corporate Director, or Community Safety Manager
23.	Community Safety	Power to seek to obtain an Acceptable Behaviour Contract;	Chief Executive, any Corporate Director, or Community Safety Manager
24.	Community Safety	Power to apply to the Courts for an Anti-Social Behaviour Order	Chief Executive, any Corporate Director, or Community Safety Manager
25.	Community Safety	Power to lay information before a Court alleging that an Anti-Social Behaviour Order has been breached.	Chief Executive, any Corporate Director, or Community Safety Manager
26.	Community Safety	Duty to administer, allocate, and authorise the disbursement of grant monies in relation to the Safer and Stronger Government Funding and other pooled partner resources.	Community Safety Manager
27.	Community Safety	Duty to undertake the Councils' functions and duties in accordance with the Crime and Disorder Act 1998.	Community Safety Manager
28.	Community Safety	Power to authorise and act with all services to give effect to the Crime and Disorder Act 1998 s17.	Chief Executive, any Corporate Director, or

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			Community Safety Manager
29.	Community Safety	Duty to manage the CCTV Control room and all related contracts.	Community Safety Manager
30.	Community Safety	Power to refuse entry to the building on security grounds and to order individuals to leave the building.	Chief Executive, any Corporate Director, any Head of Service or Community Safety Manager
31.	Community Safety	Duty to be the single point of contact and authorise, co-ordinate, and disseminate information on potential security issues.	Community Safety Manager
32.	Conduct of Business	Power to settle the annual timetable of Meetings of Council, Cabinet, Committees, Sub-Committees and Panels.	Chief Executive
33.	Conduct of Business	Power to agree to changes in Committee and Sub-Committee membership during the Municipal Year requested by the Leader of a political group by way of notice under the Local Government (Committees and Political Groups) Regulations 1990 provided that the allocation of seats to the group is not disturbed.	Chief Executive
34.	Consultation	Power to engage and consult with the community on issues and matters relevant to their specific service.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
35.	Council Tax & Non-Domestic Rates	Power to make refunds in cases of over payment to the Council as Billing Authority	Chief Executive, any Corporate Director, or Chief Financial Officer
36.	Council Tax & Non-Domestic Rates	Powers in respect of premises partially unoccupied for short periods.	Chief Executive, any Corporate Director, or Chief Financial Officer

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
37.	Council Tax & Non-Domestic Rates	Power to determine applications for mandatory or discretionary relief in accordance with any statutes, financial regulations, budgetary provision.	Chief Executive, any Corporate Director, or Chief Financial Officer
38.	Council Tax & Non-Domestic Rates	Power to make Discretionary Rate Relief decisions or determinations under the Local Government Act 1988 in respect of charities or other organisations not established or conducted for profit provided that each applicant whose application is refused is given the right of appeal to Cabinet.	Chief Executive, any Corporate Director, or Chief Financial Officer
39.	Council Tax & Non-Domestic Rates	Exercising powers following receipt of completion notices in respect of unoccupied property.	Chief Executive, any Corporate Director, or Chief Financial Officer
40.	Council Tax & Non-Domestic Rates	Power to determine applications for relief of rating of property on the grounds of hardship, in light of Council Write Off Policy and subject to budgetary provision.	Chief Executive, any Corporate Director, or Chief Financial Officer
41.	Council Tax & Non-Domestic Rates	Power to institute proceedings for non-payment of accounts including prosecution or defence in the Magistrates' Court including statutory recovery proceedings in respect of unpaid instalments and sundry debts of National Non-domestic Rates, Council Tax, including the power to make an agreement and register a charge to secure payment in accordance with the Local Government Planning and Land Act 1980 s40.	Chief Executive, any Corporate Director, or Chief Financial Officer
42.	Council Tax & Non-Domestic Rates	Power to serve Notices, enter into agreements, give receipts, make adjustments, institute proceedings, and take any action available to the Council to collect or enforce the collection of the non-domestic rate, and the Council Tax from those persons liable.	Chief Executive, any Corporate Director, or Chief Financial Officer
43.	Council Tax & Non-Domestic Rates	Power to employ commercial bailiffs in appropriate circumstances, subject to financial regulations and Contract Tendering Regulations.	Chief Executive, any Corporate Director, or Chief Financial Officer

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44.	Covert Surveillance	Power to grant authorisations for directed covert surveillance as required by the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000 made under the Regulation of Investigatory Powers Act 2000 s30.	Chief Executive
45.	Delegations	Power to determination any questions of interpretation in respect of the powers within this Scheme of Delegation.	Chief Executive
46.	Delegations	Power to override any decisions taken by other Officers, with the exception of the Chief Financial Officer in relation to the Council's financial affairs, and the Monitoring Officer in relation to issues of legality.	Chief Executive
47.	Delegations	Power to direct that any power delegated to another officer shall be withdrawn in whole or in part for a specified time or permanently, with the exception of the Chief Financial Officer in relation to the Council's financial affairs, and the Monitoring Officer in relation to issues of legality.	Chief Executive
48.	Delegations	Power, in the absence of the Chief Executive, to exercise any powers delegated to the Chief Executive, subject to notifying the Chief Executive as soon as reasonably practical that those powers have been exercised.	Any Corporate Director acting in the absence of the Chief Executive
49.	Delegations	Power, in the absence of the Chief Executive and Corporate Directors, to exercise any powers delegated to the Chief Executive, subject to notifying the Chief Executive or a Corporate Director as soon as reasonably practical that those powers have been exercised.	Any Head of Service acting in the absence of the Chief Executive and Corporate Directors
50.	Delegations	Power, in the absence of the Chief Financial Officer, to exercise all powers delegated to them so far as the law permits.	Chief Executive and any Corporate Director
51.	Delegations	Power to require a Head of Service or other	Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		Officer not to exercise a delegated power in whole or in part, with the exception of the Chief Financial Officer in relation to the Council's financial affairs, and the Monitoring Officer in relation to issues of legality.	and any Corporate Director
52.	Democratic Services	Power to number and/or name properties and name streets and to carry out any Council function in respect of the official naming of streets and the numbering of properties.	Chief Executive, or any Corporate Director
53.	Drainage	Power to take any action judged necessary to secure public health and land drainage, where flooding has occurred, or is likely to occur.	Chief Executive, any Corporate Director, Head of Technical Services or Environmental Health Manager
54.	Drainage	Power to determine strategic watercourses to be maintained at public expense.	Chief Executive, any Corporate Director, or Head of Technical Services
55.	Drainage	Power to serve and enforce notices: <ul style="list-style-type: none"> • under the drainage provisions of the Public Health Act 1936 s236. • under the provisions of the Land Drainage Act 1991. 	Chief Executive, any Corporate Director, Head of Technical Services or Environmental Health Manager
56.	Drainage	Power to appoint inspecting and supervising engineers to undertaking inspections that may be as required by the Reservoirs Act 1975.	Chief Executive, any Corporate Director, or Head of Technical Services
57.	Emergency Planning & Building Regulation	Duty to act and power to incur expenditure, so as to provide support to the emergency services in dealing with a civil emergency as defined by the Hampshire County Council (or other appropriate body) and the District's Major Civil Emergency Plan or successor Plan and/or arrangements. Such power may be exercised by the Officer in	Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		charge of the Council response or other formal arrangements entered into between the Council and Hampshire County Council pursuant to the Civil Contingencies Act 2004 or otherwise in accordance with the Emergency Plan.	
58.	Environment	Power to undertake environmental audits covering the state of the local environment	Chief Executive or any Corporate Director
59.	Environment	Power to develop and co-ordinate the implementation of a local sustainability strategy for the Council.	Chief Executive or any Corporate Director
60.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of the following:</p> <ul style="list-style-type: none"> • Prohibition or restriction of the importation, use, supply or storage of injurious substances or articles, or potentially hazardous substances. • Contaminated land including maintenance of public registers of land, which may be contaminated, determinations, and enforcement of clean up. • Powers in respect of light pollution causing a nuisance. • Power to appoint inspectors and authorised persons for the purposes of legislation related to environmental protection enforcement. • Oil Pollution including acting as the District Oil Pollution Officer. • Provision of a dog control service and the waiving or reducing of charges for returning a dog to its owner including, after consultation with the appropriate Portfolio Holder and relevant Ward Member, the designation of dog control areas and powers to deal with stray dogs. • The promotion of health including 	Chief Executive, any Corporate Director, or Environmental Health Manager

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<p>health education training and the making of appropriate charges for such training.</p> <ul style="list-style-type: none"> • To approve or refuse registrations, licences, certificates, permits or consents and to take any other action in respect of the following businesses operating within the District: Hairdressers and barbers, acupuncturists, tattooists, ear piercers, electrolysis, upholstery premises, pleasure boats and boatman, hawkers of food, animal boarding establishments, riding establishments, dog breeding, pet shops, guard dogs, dangerous wild animals, and zoos. • Powers in respect of the quality of drinking water supplies, bathing waters, and swimming pools. • After consultation with the Chief Solicitor power to institute legal proceedings and to represent the Council in appropriate Environmental Health cases. 	
61.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of the decorating or cleaning of filthy or verminous premises; cleansing or destruction of filthy or verminous articles; accumulation of rubbish; fly-tipping; abandoned and nuisance vehicles; neglected sites; defective premises: ruinous and dilapidated buildings; protection of unoccupied buildings and structures; disposal of dead bodies; animal health and disease; and public health statutory nuisances.</p>	Chief Executive, any Corporate Director, or Environmental Health Manager
62.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of Pest control</p>	Chief Executive, any Corporate Director, or Environmental Health Manager

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63.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of Sanitation, sanitary conveniences and appliances in buildings and workplaces; drains, sewers, water closet cleansing and maintenance; and land drainage including:</p> <ul style="list-style-type: none"> • requirement for buildings to be drained in combination. • the maintenance of Strategic Watercourses. • powers to repair or clear a defective or stopped up drain, private sewer, water closet or soil pipe (any default action in respect of repair work to be limited to the sum identified in the financial appendix). 	Chief Executive, any Corporate Director, or Environmental Health Manager
64.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of Food safety and standards including:</p> <ul style="list-style-type: none"> • the powers to close or cancel the closure of unhygienic food premises, seize unfit food, and sample food; • food hygiene training; an • the appointment of Public Analysts, • Inspection Programmes; • the registration or approval of premises for the sale, preparation, storage or manufacture of food; • food export certificates and deferred inspection of imported food; • the appointment or authorization of appropriate Officers including veterinary surgeons for the purposes of entry, inspection, seizure and sampling of food both within and outside the District; and for the control of contaminated food and legislation related to pesticides. 	Chief Executive, any Corporate Director, or Environmental Health Manager
65.	Environmental Health	Responsibility for exercising the Council's powers and duties including any related	Chief Executive, any Corporate

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<p>enforcement action and recovery of costs in respect of Health, safety and welfare at work including:</p> <ul style="list-style-type: none"> • enforcement of the Health and Safety at work Act 1974 legislation; • appointment of inspectors and other authorised Officers to carry out appropriate duties in respect of health, safety and welfare including enforcement in premises regulated by the Health and Safety Executive where this has been agreed with them; • inspection Programmes; • the transfer of enforcement responsibilities; • controls on working with asbestos. 	Director, or Environmental Health Manager
66.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of the control of infectious disease including the disinfection of premises, persons and articles, removal of persons from infected homes and hospitalisation of persons suffering from a notifiable disease, after consultation with the Director of Public Health of the Primary Care Trust and, where appropriate, Officers from the Health Protection Agency.</p>	Chief Executive, any Corporate Director, or Environmental Health Manager
67.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of the appointment of appropriate persons as Proper Officers for functions relating to food poisoning, infectious disease and the removal to suitable premises of persons in need of care and attention, after consultation with the appropriate Cabinet Member,</p>	Chief Executive, any Corporate Director, or Environmental Health Manager
68.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in</p>	Chief Executive, any Corporate Director, or

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		<p>respect of noise and noise nuisance from domestic commercial or industrial premises, vehicles, machinery or equipment in the street including:</p> <ul style="list-style-type: none"> • after consultation with the appropriate Cabinet Member and relevant Ward Members, the determination of applications for prior consent in respect of construction work; • the determination of acceptable noise levels for new buildings (after consultation with the Head of Planning); • the power to seize equipment; • the power to grant or refuse consent for the use of loudspeakers in the street outside the period 8am to 9pm; and to enforce legislation relating to alarms; • after consultation with the Chief Solicitor power to apply for High Court injunctions in relation to noise nuisance. 	Environmental Health Manager
69.	Environmental Health	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of Integrated pollution and air pollution control, local air quality management, clean air and air quality including:</p> <ul style="list-style-type: none"> • powers in respect of the burning of crop residues and public health nuisance; and • after approval of the relevant Cabinet member and relevant Ward Members, power to approve the installation of furnaces, grit arrestment plant, and chimney heights. 	Chief Executive, any Corporate Director, or Environmental Health Manager
70.	Finance	Power to institute proceedings for non-payment of accounts including prosecution or defence in the Magistrates' Court including	Chief Executive, any Corporate Director, or Chief

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		statutory recovery proceedings in respect of unpaid instalments and sundry debts of National Non-domestic Rates, Council Tax, including the power to make an agreement and register a charge to secure payment in accordance with the Local Government Planning and Land Act 1980 s40.	Financial Officer
71.	Finance	<p>Duty to manage the Treasury function within the Council, including:</p> <ul style="list-style-type: none"> • raising and repaying loans and all other debt instruments including overdraft arrangements on appropriate terms up to any maximum amount authorised by the Council, as constrained by statutorily defined borrowing and maturity limits, and subject to the Treasury Management strategy approved by the Council each year: • investing surplus funds of the Council, including negotiations and agreements with brokers and fund managers; • entering into leasing and contract hire agreements for the acquisition of vehicles, machinery and equipment on such terms as are considered appropriate within budgetary provision. 	Chief Financial Officer (S 151 officer)
72.	Finance	<p>Duty to manage insurable risks within the Council including:</p> <ul style="list-style-type: none"> • arranging the insurance of the Council's property and other appropriate insurable risks ensuring value for money; and • reviewing on an annual basis the sums insured and • negotiating in respect of claims on, or by, the Council. 	Chief Financial Officer (S 151 officer)
73.	Finance	Duty to determine the local average rates of interest in accordance with the Housing Act, 1985 together with the rate of interest on	Chief Financial Officer (S 151 officer)

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		sums outstanding prior to the commencement of the provisions of the Act.	
74.	Finance	Responsibility for payment of all amounts that are considered to be in respect of liabilities properly incurred and not previously discharged.	Chief Financial Officer (S 151 officer)
75.	Finance	Power to write-off outstanding accounts which are considered to be irrecoverable and to report this to Cabinet on a quarterly basis.	Chief Financial Officer (S 151 officer) or, in their absence, Chief Executive
76.	Finance	Power to write-off deficiencies in accordance with the Write-Off Policy where appropriate action has been taken to attempt to recover.	Chief Financial Officer (S 151 officer) or, in their absence, Chief Executive
77.	Finance	Power to deal with housing advances made by the Council, including: <ul style="list-style-type: none"> • varying the rate of interest charged on variable interest rate mortgages. • deciding upon applications for loans under the Housing Act 1985, Recommendations under the Buildings Societies Support lending Scheme and indemnities and transfers under the Act. 	Chief Financial Officer (S 151 officer) or, in their absence, Chief Executive
78.	Finance	Power to vire up to the sum identified in the financial appendix, between cost centres (applicable to all Cabinet and Committees), provided that approval to virements giving rise to commitments for future years, shall be given by the Cabinet.	Chief Financial Officer (S 151 officer) or, in their absence, Chief Executive
79.	Finance	Power to approve the transfer, on capital schemes, spending provision from other schemes by means of savings or delays, provided that the estimated overspend on the particular scheme does not exceed the sum of 10% on the figure identified in the Financial Appendix..	Chief Financial Officer (S 151 officer) or, in their absence, Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
80.	Finance	Power to make determinations under the Local Government and Housing Act 1989 ss 42(2)g, 50(3)b, 50(3)c, 51(4),56(1), 56(2), 60(2), and 63(1). (<i>Explanation: various duties concerned with deciding technical financial issues such as what is capital or revenue, how grants can be used, etc</i>)	Chief Financial Officer (S 151 officer) or, in their absence, Chief Executive
81.	Finance	Duty to administer and control the Collection Fund.	Chief Financial Officer (S 151 officer)
82.	Grants	Power, after consultation with the relevant Cabinet member, to allocate, and authorise the disbursement of grants, loan schemes, and core funding contributions	Chief Executive, any Corporate Director, or Community Safety Manager
83.	Highways, Transport and Parking	Power, after consultation with the Head of Planning Services, to consider and make observations to third parties on any matters affecting transport, highways and car parking.	Chief Executive, any Corporate Director, or Head of Technical Services
84.	Highways, Transport and Parking	Power to deal with matters relating to the Council's direct responsibilities for certain footway lighting within the District of Hart.	Chief Executive, any Corporate Director, or Head of Technical Services
85.	Highways, Transport and Parking	After consultation with the relevant Cabinet member, power to submit comments to Hampshire County Council on bus service changes.	Chief Executive, any Corporate Director, or Head of Technical Services
86.	Highways, Transport and Parking	Power to submit views to Hampshire County Council, on proposals for the extinguishing of highway rights and the diversion and extinguishing of footpaths and bridleways.	Chief Executive, any Corporate Director, or Head of Technical Services
87.	Highways, Transport and Parking	Power to comment on traffic regulation proposals that may affect traffic within Hart District.	Chief Executive, any Corporate Director, or Head of Technical

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
			Services
88.	Highways, Transport and Parking	Power to exercise the powers and functions bestowed on the District Council by the County Council under the terms of both the Development Control and Traffic Management Agency Agreements.	Chief Executive, any Corporate Director, or Head of Technical Services
89.	Highways, Transport and Parking	After consultation with the relevant Ward Members, power to: <ul style="list-style-type: none"> • determine applications for the temporary closure of roads • respond to proposals from the Hampshire County Council in respect of proposed Traffic Orders. 	Chief Executive, any Corporate Director, or Head of Technical Services
90.	Highways, Transport and Parking	Power to: <ul style="list-style-type: none"> • exercise the Council's powers under the Off Street Parking Places Order. • advertise and amend the Councils Off Street Parking Places Order. 	Chief Executive, any Corporate Director, or Head of Technical Services
91.	Highways, Transport and Parking	After consultation with the relevant Cabinet member, power to close the Council's off-street car parks for special events or maintenance purposes and to agree the temporary suspension of parking charges (subject to budgetary provision having been made).	Chief Executive, any Corporate Director, or Head of Technical Services
92.	Highways, Transport and Parking	Power to determine applications for the letting for casual use of car parks.	Chief Executive, any Corporate Director, or Head of Technical Services
93.	Highways, Transport and Parking	Power to authorise the use of the Civic Offices car parks by other organisations outside normal office hours.	Chief Executive, any Corporate Director, or Head of Technical Services
94.	Highways, Transport and Parking	Power to authorise agreement of dispensations, exemptions and suspensions, relating to parking restrictions on the public	Chief Executive, any Corporate Director, or Head

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		highways, under the provisions of the Road Traffic Act 1991, including imposing and waiving parking penalty charge notices,	of Technical Services
95.	Housing	Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of caravan and camping sites,	Chief Executive, any Corporate Director, or Head of Housing
96.	Housing	Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of Tenancy Relations Issues, including: <ul style="list-style-type: none"> • Power to take action, including the service of notices, in respect of the unlawful eviction of tenants and the harassment of occupiers of tenanted property; • Power to take action, including the service of notices, to obtain information, rent books, insurance arrangements and other documents relating to tenanted property; • Power to take action, to recover from landlords, sums paid in excess of recoverable rents. 	Chief Executive, any Corporate Director, or Head of Housing
97.	Housing	Power to , in the absence of the Head of Housing, conduct and determine appeal reviews under the provisions of The Housing Act 1996 s202.	Chief Executive and any Corporate Director
98.	Housing	Power to take legal proceedings where mortgages are in arrears	Chief Executive, any Corporate Director, or Chief Solicitor
99.	Housing	To approve applications for the letting of properties in Mortgage to the Council.	Chief Executive, any Corporate Director, or Chief Solicitor
100.	Housing	Power to approve applications from within family transfers of mortgaged properties, subject to being satisfied that such transfer	Chief Executive, any Corporate Director, or Chief

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		will not adversely affect the Council's interest and to payment of the Council's legal costs.	Solicitor
101.	Housing	Power to authorise proceedings in matters related to unlawful eviction and harassment of residential occupiers.	Chief Executive, any Corporate Director, or Chief Solicitor
102.	Housing	Power to give receipts for the discharge of redeemed mortgages and to seal vacating receipts on Council mortgages.	Chief Executive, any Corporate Director, or Chief Solicitor
103.	Housing	Power to approve applications to be placed on the Housing Register which fall within the criteria for acceptance.	Chief Executive, any Corporate Director, or Head of Housing
104.	Housing	Power to make nominations to registered social landlords and other agencies in accordance with the Council's approved housing nominations policies.	Chief Executive, any Corporate Director, or Head of Housing
105.	Housing	Power to make minor amendments to the nominations scheme.	Chief Executive, any Corporate Director, or Head of Housing
106.	Housing	Power to agree deeds of Nomination Rights for affordable housing schemes.	Chief Executive, any Corporate Director, or Head of Housing
107.	Housing	In consultation with the Chief Financial Officer and in accordance with generally acceptable accounting principles, and the Financial Regulations of the Council, power to write off as irrecoverable rent arrears of former tenants or licensees.	Chief Executive, any Corporate Director, or Head of Housing
108.	Housing	Power to approve individual affordable housing schemes, including agreeing tenure mixes, which comply with the council's Housing Strategy.	Chief Executive, any Corporate Director, or Head of Housing

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
109.	Housing	Power to suggest appropriate conditions to be imposed on planning applications with an affordable housing element, including terms of Agreements reached under the provisions of the Town and Country Planning Act 1990 s106 and Planning Obligations.	Chief Executive, any Corporate Director, or Head of Housing
110.	Housing	After consultation with the relevant Cabinet Member power to approve support for affordable housing projects under the sum identified in the financial appendix, provided they are within the capital funding available for Social Housing Initiatives in the current Capital Programme and are in accordance with the Housing Strategy.	Chief Executive, any Corporate Director, or Head of Housing
111.	Housing	After consultation with the Chief Solicitor, power to authorise legal proceedings for prosecution of offences arising from the unlawful eviction or harassment of residential occupiers.	Chief Executive, any Corporate Director, or Head of Housing
112.	Housing	Responsibility for carrying out the Council's duties in respect of: <ul style="list-style-type: none"> • providing accommodation under the provisions of the Housing Act 1996 s188; and • persons intentionally homeless under provisions of the Housing Act 1996 s190; and • persons not in priority need under the provisions of The Housing Act 1996 s192; and. • persons with priority need under the provisions of The Housing Act 1996 s192; and • cases of threatened homelessness under the provisions of The Housing Act 1996 s195; and • the power of referral to another local housing authority under the provisions of The Housing Act 1996 s1195; and • applicants considered for referral in under the provisions of The 	Head of Housing

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<p>Housing Act 1996 s200; and</p> <ul style="list-style-type: none"> • reviews of any decisions as requested by an applicant under The Housing Act 1996 s202, and • the Housing Acts 1985, 1988, 1996, 2002 and 2004. 	
113.	Housing	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs in respect of private sector housing policy, including</p> <ul style="list-style-type: none"> • power to consider and determine applications for mandatory disabled facilities grants; • the provision of professional services and the making of financial grants to property owners and tenants to assist in the repair, improvement, adoption, conversion and renovation of dwellings and houses in multiple occupation. • on the breach of any condition attached to a housing improvement or disabled facilities grant, power to authorise the recovery of the grant or part thereof or to approve in special circumstances and after consultation with the Chief Financial Officer, the waiver of repayment of the grant monies or, where legislation allows, part thereof; • power to establish a loan scheme for home renovation works; • after consultation with the Chief Financial Officer and the appropriate Cabinet Member, power to determine the rules and criteria for loans; • after consultation with the Chief Financial Officer power to transfer loans to the private sector and provide loan guarantees. • the promotion of energy efficiency 	Chief Executive, any Corporate Director, or Head of Housing

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<p>measures within the district's housing stock.</p> <ul style="list-style-type: none"> • the repair, closing or demolition of dwellings unfit for human habitation or otherwise in a state of disrepair and properties inspected in the context of the Housing Health and Safety Rating System. • after consultation with the appropriate Cabinet Member and relevant Ward Members, the designation of clearance and renewal areas. • the licensing, prevention of overcrowding, provision of means of escape from fire and other fire precautions and the management of houses in multiple occupation: • to promote action to improve the private sector housing stock in the District and where appropriate to achieve the Decent Homes Standard in the context of the Council's Private Sector Housing Strategy 	
114.	Housing & Council Tax & Non-Domestic Rates Benefits	<p>Power to make and act on decisions regarding the following:</p> <ul style="list-style-type: none"> • payment of Housing and/or Council Tax Benefit to applicants in accordance with the Social Security Acts, and the Housing Benefit and Council Tax Benefit regulations, and determination of representations from applicants dissatisfied with any decisions • investigation of suspected cases of fraud and authorising prosecution proceedings, after consultation with the Chief Solicitor. • classification and recovery of overpaid Housing Benefit and Council Tax Benefit, including authorisation of court proceedings in line with Council Write Off Policy, after consultation with the Chief Solicitor. 	Chief Executive, any Corporate Director, or Chief Financial Officer

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<ul style="list-style-type: none"> the completion of all statutory and necessary Housing Benefit Subsidy and related returns in accordance with regulation. 	
115.	Information	Power to determine appeals against rejections of requests for information	Chief Executive
116.	Information	Power to make submissions to, and act on recommendations from the Information Commissioner or their representative.	Chief Executive
117.	Information	Power to make determinations under the Data Protection Act 1998 and Freedom of Information Act 2000.	Chief Executive
118.	Information Technology	Power to determine the technical and functional specification for any IT system or hardware purchased on behalf of Hart District Council and to determine criteria for evaluation of tenders.	Chief Executive or any Corporate Director
119.	Information Technology	Power to dispose of redundant equipment up to the sum identified in the financial appendix, per individual item.	Chief Executive or any Corporate Director
120.	Land Contamination	Power to take appropriate action, including expenditure up to the figure identified in the Financial Appendix, to deal with land owned by the Council which is contaminated within the meaning of the Environmental Protection Act 1990.	Chief Executive, any Corporate Director, or Head of Technical Services
121.	Legal Issues	Power to authorise and issue any documents for the purpose of any of the Council's functions including all court proceedings, and to affix and attest the seal of the Council to any deed or other document.	Chief Executive, any Corporate Director, or Chief Solicitor
122.	Legal Issues	After consultation with the relevant Chief Officer or Head of Service, may obtain the opinion of Counsel on any question of doubt or difficulty concerning the Council's business and to instruct Counsel to represent the Council at any Court, Tribunal, or Inquiry subject to the budget provision	Chief Executive, any Corporate Director, or Chief Solicitor

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		not being exceeded.	
123.	Legal Issues	Power to instruct Solicitors, Barristers or Parliamentary Agents to represent the Council subject to the budget provision not being exceeded.	Chief Executive, any Corporate Director, or Chief Solicitor
124.	Legal Issues	Power to authorise and enter into arrangements for the appointment of external suppliers of legal services to or on behalf of the Council, subject to the budget provision not being exceeded.	Chief Executive, any Corporate Director, or Chief Solicitor
125.	Legal Issues	Power to apply to a Magistrates' Court for any Order or warrant of entry for the purposes of the Town and Country Planning Act 1990 s196B, or any other statutory provision.	Chief Executive, any Corporate Director, or Chief Solicitor
126.	Legal Issues	Power, after consultation with the relevant Head of Service, to determine applications from the Police for orders prohibiting trespassory assemblies under the Public Order Act 1986 s14A (and substituted by the Criminal Justice and Public Order Act 1994).	Chief Executive, any Corporate Director, or Chief Solicitor
127.	Legal Issues	Power to be the Appointing Officer within the meaning of the Party Wall Etc. Act 1996 s20.	Chief Executive, any Corporate Director, or Chief Solicitor
128.	Leisure	Power to agree the terms and conditions of hirings and lettings of those services and resources within the Leisure Service.	Chief Executive, any Corporate Director, or Head of Leisure
129.	Leisure	Power, after consultation with the appropriate Portfolio Holder, to set and levy fees and charges for those services and resources within the Leisure Service, including:: <ul style="list-style-type: none"> • the negotiation of commercial and non commercial fees and charges for services and resources and entering into contracts for such with third parties. 	Chief Executive, any Corporate Director, or Head of Leisure

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<ul style="list-style-type: none"> the waiving of fees and charges in circumstances considered appropriate. 	
130.	Leisure	Power to negotiate, agree terms and conditions of contracts and enter into contracts with third parties, for the delivery or sponsorship of services and resources either to or by the Leisure Service	Chief Executive, any Corporate Director, or Head of Leisure
131.	Leisure	Power to negotiate and agree terms and conditions of contracts with third parties for the Joint Provision or Joint Use or partnership delivery of services provided to or by the Leisure Service.	Chief Executive, any Corporate Director, or Head of Leisure
132.	Leisure	Power to issue licences for the recreational use of open water under the ownership or control of the Council.	Chief Executive, any Corporate Director, or Head of Leisure
133.	Leisure	Power to act on behalf of the Council on all matters relating to the management of Common land, and Sites of Special Scientific Interest (SSSIs) under the Countryside and Rights Of Way Act 2000 s28, and any other legally designated sites.	Chief Executive, any Corporate Director, or Head of Leisure
134.	Licensing	<p>Responsibility for exercising the Council's powers and duties including any related enforcement action and recovery of costs, in line with council policy and subject to any statutory rights of appeal, in respect of the following:</p> <ul style="list-style-type: none"> Sunday trading, including authority to appoint inspectors, and after consultation with the relevant Portfolio Holder, may designate or revoke the District as a loading control area. To approve or refuse registrations, licences, certificates, permits or consents and to take any other action in respect of the following businesses operating within the District: sex 	Chief Executive, any Corporate Director, or Community Safety Manager

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		establishments, street trading, cinemas, theatres, places of public and private entertainment, indoor sporting events, and late night refreshment houses.	
135.	Licensing	Power to exercise all of the Council's powers and duties in respect of: street collections, house to house collections, society lotteries, the use of machines for amusement purposes, amusements with prizes (except to refuse permits), track betting licences; money lenders and pawn brokers.	Chief Executive, any Corporate Director, or Community Safety Manager
136.	Licensing	Power to license vehicles, drivers and operators of hackney carriages and private hire vehicles and authorise Officers to take action in respect of these.	Chief Executive, any Corporate Director, or Community Safety Manager
137.	Licensing	Power to issue, suspend, revoke or refuse hackney carriage and private hire licences and to issue private notices exempting private hire vehicles from displaying a private hire vehicle plate.	Chief Executive, any Corporate Director, or Community Safety Manager
138.	Licensing	To exercise all of the Council's powers and duties in respect of cinemas, theatres, places of public and private entertainment, indoor sporting events, places at or in which alcohol and/or late night refreshment is sold or supplied, except: <ul style="list-style-type: none"> • determining applications for premises licences where representations have been made; or • determining applications for provisional statements where representations have been made; or • determining applications for variation of premises licences where representations have been made; or • determining applications to vary designated premises supervisors following police objection; or 	Chief Executive, any Corporate Director, or Community Safety Manager

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<ul style="list-style-type: none"> • determining applications for transfer of premises licences following police objection; or • considering police objection made to any interim authority notice; or • determining applications for club premises certificates where representations have been made; or • deciding to give counter-notice following police objection to temporary event notice; or • determining applications for grant of personal licence following police objection; or • revoking licences where convictions come to light after grant; or • determining applications for review of premises licences where relevant representations have been made; or • determining applications for review of club premises certificates where relevant representations have been made; or • reviewing any matter after the making of a closure order where relevant representations have been made. 	
139.	Licensing	Power, in respect of small lotteries: <ul style="list-style-type: none"> • to register (but not refuse to register) societies for the conduct of small lotteries; and • to cancel registrations upon application from any society; • to excuse payment of annual fees where a registration is cancelled within 4 months. 	Chief Executive, any Corporate Director, or Community Safety Manager
140.	Media Relations	Power to authorise the making of statements to the press and other media (including radio and television appearances) after consultation with the Leader of the Council or relevant Cabinet Member	Chief Executive and any Corporate Director
141.	Media Relations	Power to authorise and approve documentation to be published external to	Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		Hart District Council.	
142.	Media Relations	Responsibility for information to be published on the Council's website, Hart News, or elsewhere.	Chief Executive
143.	Media Relations	Power to approve, if appropriate, requests for the use of the Council's logo by external organisations.	Chief Executive or any Corporate Director
144.	Media Relations	Power to enter into, or to terminate, contract for the sale of advertising in Council Publications.	Chief Executive or any Corporate Director
145.	Member Issues	Power to approve Members' attendance, travel and subsistence at conferences seminars and other events, if contained within the budget.	Chief Executive
146.	Member Issues	Power to determine whether meetings, visits or other arrangements should be treated as "approved duty" within the context of the Scheme of Members' Allowances	Chief Executive or any Corporate Director
147.	Member Issues	Duty to establish and implement a programme to measure, monitor and report on the performance of the Council.	Chief Executive
148.	Member Issues	Duty to determine an audit programme for the Council and to report its conclusions to the Audit Committee	Chief Executive
149.	Member Issues	Power to authorise the attendance of members at conferences as an approved duty within the context of the Scheme of Members' Allowances.	Chief Executive or any Corporate Director
150.	Member Issues	Power, after consultation with the Monitoring Officer, to implement and control the tender opening procedure.	Chief Executive
151.	Partnerships	Power to authorise any action taken in support of the project management of partnership initiatives in the Community.	Chief Executive, any Corporate Director, or Community Safety Manager

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
152.	Planning	Power to take decisions in accordance with the Planning Scheme of Delegation approved by Council on 30 March 2010	Chief Executive, any Corporate Director, or Head of Planning
153.	Planning	Power to make decisions whether to withdraw or modify any notices or legal proceedings having regard to circumstances which become known after the original decision of the Planning Committee to take such action	Chief Executive, any Corporate Director, or Head of Planning
154.	Planning	Power to make applications to the Secretary of State, or his Inspector, for awards of costs in favour of the Council in respect of planning matters.	Chief Executive, any Corporate Director, or Head of Planning
155.	Planning	Power, after consultation with the appropriate Portfolio Holder, to respond to policy and other planning documents relevant to Hart District, prepared by other bodies.	Chief Executive, any Corporate Director, or Head of Planning
156.	Planning	Responsibility for exercising the Council's duty to maintain the Local Land Charges Register, including the authorisation of new entries, the correction of existing entries or removal of non-subsisting entries from, the Local Land Charges Register.	Head of Planning
157.	Planning	Power to settle claims of awards of costs awarded against the Council following successful appeals, by an applicant, against a Council Planning decision.	Chief Executive, any Corporate Director, or Head of Planning
158.	Planning	Power, after consultation with the local Ward Members representing the area affected, to lodge objections against applications for heavy goods vehicle operators' licences.	Chief Executive, any Corporate Director, or Head of Planning
159.	Planning	Power, after consultation with the Chief Solicitor, to authorise the institution of legal proceedings for failure to respond to, or to give satisfactory information required by Requisitions for Information, or Planning Contravention Notices.	Chief Executive, any Corporate Director, or Head of Planning

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
160.	Planning	Power, after consultation with the Chief Solicitor, to determine who shall be called to give evidence at planning inquiries.	Chief Executive, any Corporate Director, or Head of Planning
161.	Planning	Power, in accordance with the Council's Planning Scheme of Delegation, to determine or decline to determine all planning applications made, deemed to be made or referred to the Council, together with applications for certificates of Appropriate Alternative Development	Chief Executive, any Corporate Director, or Head of Planning
162.	Planning	Power, in accordance with the council's Planning Scheme of Delegation, to make determinations that it is not expedient to take enforcement action	Chief Executive, any Corporate Director, or Head of Planning
163.	Planning	Power, in respect of agreements under the Town and Country Planning Act 1990 s106 (as amended), to determine when to seek such agreements and the terms of them in conjunction with a planning application or enforcement matter being dealt with under the scheme of delegation; and to make reasonable amendments to the heads of terms or detailed terms of such agreements if necessary after they have been approved by the Planning Committee or the Council.	Chief Executive, any Corporate Director, or Head of Planning
164.	Planning	Power to adopt screening and scoping opinions under the Environmental Assessment Regulations	Chief Executive, any Corporate Director, or Head of Planning
165.	Planning	Power to carry out appropriate assessments under the Habitat Regulations.	Chief Executive, any Corporate Director, or Head of Planning
166.	Planning	Power to make non-material additions, deletions, or amendments to the conditions to be attached to the grant of planning permission, listed building consent, conservation area consent, hazardous substances consent, or advertisement	Chief Executive, any Corporate Director, or Head of Planning

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		consent, authorised by the Planning Committee or Council.	
167.	Planning	Power to determine the reasons for which planning permission, listed building consent, conservation area consent, hazardous substances consent, or advertisement consent, would have been refused where this is relevant to appeals against the non-determination of applications.	Chief Executive, any Corporate Director, or Head of Planning
168.	Planning	Power, on a without prejudice basis in relation to appeals in the event that the Secretary of State or the appointed Inspector is minded to grant permission: <ul style="list-style-type: none"> • to suggest appropriate conditions to be imposed on planning permissions, listed building consent, conservation area consent, hazardous substances consent, or advertisement consent,; and • to approve/make comments on the terms of Section 106 Agreements or unilateral undertakings 	Chief Executive, any Corporate Director, or Head of Planning
169.	Planning	Power to authorise the service of Building Preservation Notices.	Chief Executive, any Corporate Director, or Head of Planning
170.	Planning	Power to respond to consultations for the installation of overhead electricity cables under the Electricity Acts.	Chief Executive, any Corporate Director, or Head of Planning
171.	Planning	Power to determine non-material: <ul style="list-style-type: none"> • minor amendments to approved plans. • the approval of details pursuant to conditions on planning permissions, listed building consent, conservation area consent, hazardous substances consent, or advertisement consent. • variation or rescinding of conditions on approved plans. 	Chief Executive, any Corporate Director, or Head of Planning

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		<ul style="list-style-type: none"> • minor variations to or the waiver of conditions attached to deemed consents (subject to a report being submitted to the following meeting of the Planning Committee) 	
172.	Planning	Power to determine Certificates of Lawfulness under the Town and Country Planning Act 1990 ss191 or 192 (as amended).	Chief Executive, any Corporate Director, or Head of Planning
173.	Planning	Power to make Tree Preservation Orders and to determine applications made under the Order, but not to determine Objections to Orders.	Chief Executive, any Corporate Director, or Head of Planning
174.	Planning	<p>Power to authorise the issue of:-</p> <ul style="list-style-type: none"> • Enforcement Notices, • Stop Notices, • Temporary Stop Notices, • Breach of Condition Notices, • Listed Building Enforcement Notices • Conservation Area Enforcement Notices, • Section 215 Notices under the Town and Country Planning Act 1990 • Hazardous Substances Enforcement Notices, and • Discontinuance Notices under the Control of Advertisement Regulations <p>after consultation with the Chief Solicitor to the Council.</p>	Chief Executive, any Corporate Director, or Head of Planning
175.	Planning	Power to take action in respect of unauthorised placards, posters or display structures under the Town and Country Planning Act 1990 s225.	Chief Executive, any Corporate Director, or Head of Planning
176.	Planning	Power, after consultation with the Chief Solicitor, to authorise the institution of legal proceedings in respect of any matter within the terms of reference of the Planning Committee.	Chief Executive, any Corporate Director, or Head of Planning

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
177.	Planning	Power to accept or reject as felt fit such offers to remedy a breach of control as are made under the Town and Country Planning Act 1990 s171C(4) (as amended).	Chief Executive, any Corporate Director, or Head of Planning
178.	Planning	Power to designate authorised officers and to serve Notices of Entry for the purposes of the planning acts.	Chief Executive, any Corporate Director, or Head of Planning
179.	Planning	Power to serve Requisitions for Information as to ownership, occupation or other interests in land.	Chief Executive, any Corporate Director, Head of Planning or Chief Solicitor
180.	Planning	Power to serve Planning Contravention Notices on owners and occupiers of land where it appears that a breach of planning control has taken place.	Chief Executive, any Corporate Director, or Head of Planning
181.	Planning	Power to determine applications relating to High Hedge legislation	Chief Executive, any Corporate Director, or Head of Planning
182.	Property & Asset Management	Power in respect of any property managed by the service, to instruct and appoint valuers for the purpose of Asset Valuations.	Chief Executive, any Corporate Director, Chief Financial Officer or any Head of Service acting within their Service
183.	Property & Asset Management	Power to negotiate terms on behalf of the Council to take a lease, licence or to acquire the freehold of land or premises where a service need has been identified and budgetary provision made up to a maximum annual expenditure or consideration of the figure to be found in the financial appendix;	Chief Executive, any Corporate Director, or Head of Technical Services
184.	Property & Asset Management	After consultation with the Chief Solicitor, power to submit applications for planning permission, listed building consent and other	Chief Executive, any Corporate Director, or Head

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		necessary consents in respect of <ul style="list-style-type: none"> Any works included in the Capital or Revenue programme Any other matter, which has been agreed after consultation with the leader of the Council and the relevant Ward Member(s). 	of Technical Services
185.	Property & Asset Management	Power to determine valuation proposals and appeals on behalf of the authority as owner/occupier.	Chief Executive, any Corporate Director, or Head of Technical Services
186.	Property & Asset Management	Power to make decisions on requests by lessees for the Council's consent as freeholder where this is required by any clauses contained in leases of industrial sites, shops or other properties.	Chief Executive, any Corporate Director, or Head of Technical Services
187.	Property & Asset Management	Power to authorise the service of notice of the Council's intention to determine leases, with a view to their renewal on fresh terms if the premises are not required for use by the Council. However, Cabinet must approve any such agreement if the annual lease payment exceeds a sum identified in the financial appendix.	Chief Executive, any Corporate Director, or Head of Technical Services
188.	Property & Asset Management	Power to take any action required in respect of trespass to the Council's property, where appropriate in consultation with the Chief Solicitor	Chief Executive, any Corporate Director, or Head of Technical Services
189.	Property & Asset Management	Power to submit applications for planning permission, listed building consent and other necessary consents in respect of: <ul style="list-style-type: none"> any works included in the approved Capital or Revenue programme. any other matter, which has been agreed after consultation with the Leader of the Council and the relevant Ward Member(s). 	Chief Executive, any Corporate Director, or Head of Technical Services
190.	Property &	After consultation with the Chief Solicitor,	Chief Executive,

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
	Asset Management	power to authorise the taking of action, including legal proceedings, for the recovery of rent arrears or the possession of land or other property in cases of non-payment of rent or other breaches of the terms of leases or licences.	any Corporate Director, or Head of Technical Services
191.	Property & Asset Management	Power to agree the level and application of room hire rates for any property within the specific budgetary control of the Head of Service.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
192.	Property & Asset Management	Power to authorise wayleave consents arising from applications received from statutory undertakers for the provision of underground Conduits and overhead cabling, which affect Council owned land.	Chief Executive, any Corporate Director, or Head of Technical Services
193.	Property & Asset Management	Power to respond to notices served on the Council, as landowner, under the Town and Country Planning Act 1990 s65.	Chief Executive, any Corporate Director, or Head of Technical Services
194.	Property & Asset Management	Power to deal with all matters relating to recreational water use including fishing and boating permits within the District on Council owned or managed areas.	Chief Executive, any Corporate Director, or Head of Leisure
195.	Property & Asset Management	Power to respond to notices served on the Council, as landowner, under the Town and Country Planning Act 1990 s65.	Chief Executive, any Corporate Director, or Head of Technical Services
196.	Property & Asset Management	After consultation with the Head of Planning Services power to agree the level of Section 106 or other contributions from developers relating to transport.	Chief Executive, any Corporate Director, or Head of Technical Services
197.	Property & Asset Management	Power to implement the relevant actions under the Criminal Justice and Public Order Act 1994 s61, in relation to nuisance	Chief Executive, any Corporate Director, or Head

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		trespassers on lands.	of Leisure
198.	Property & Asset Management	Power to dispose of vehicles, machinery and equipment and other assets surplus to the Council's requirements, subject to the Council's Financial Regulations and Standing Orders applicable to Disposals.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
199.	Property & Asset Management	Power, after consultation with the relevant Cabinet Member, to make decisions on request by lessees for the Council's consent as freeholder where this is required by any clauses contained in leases of industrial sites, shops or other properties;	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
200.	Property & Asset Management	Power, after consultation with the Chief Solicitor, to take any action, including court proceedings, required in respect of trespass to the Council's property;	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
201.	Property & Asset Management	Power, after consultation with the Chief Solicitor, to authorise the taking of action, including legal proceedings, for the recovery of rent arrears or the possession of land or other property in cases of non-payment of rent or other material breaches of the terms of leases or licenses.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
202.	Property & Asset Management	Power, after consultation with the Chief Solicitor, to authorise the service of notices and counter-notices under the Landlord and Tenant Act 1954 Part II. The content of any such notice shall be jointly determined by the Head of Service and the Chief Solicitor.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
203.	Staffing Issues	Power to approve extension of Officers' service or early retirement on grounds of ill health, subject to not exceeding budgetary provision.	Chief Executive or any Corporate Director
204.	Staffing Issues	Power to vary or apply subsistence allowances, salaries, long service awards and other conditions of employment as may be	Chief Executive or any Corporate Director

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		affected by national determination or local agreements.	
205.	Staffing Issues	Power to enact efficiency or redundancy retirements (where Cabinet authorisation exists) and flexible employment contracts within employment law. To determine the application and interpretation of the National and Local Awards.	Chief Executive
206.	Staffing Issues	Power to terminate employment during, or review salary on completion of, probationary periods.	Chief Executive or any Corporate Director
207.	Staffing Issues	Duty to be the nominated Officer for the Council to contact the police in connection with the disclosure of criminal records in respect of certain prospective Officers as identified under the applicable Home Office Regulations.	Chief Executive
208.	Staffing Issues	Power to authorise the direct costs and related expenses of installing IT equipment at an Officer's home, where permission has been granted for home working, subject to not exceeding budgetary provision.	Chief Executive or any Corporate Director
209.	Staffing Issues	Power to decide that posts are 'politically restricted' under the provisions of The Local Government and Housing Act 1989	Chief Executive
210.	Staffing Issues	Power to agree requests for part-time working and home working.	Chief Executive or any Corporate Director
211.	Staffing Issues	Power to represent the Council at disciplinary, grievance and other relevant hearings and at Employment Tribunals.	Chief Executive or any Corporate Director
212.	Staffing Issues	Power to represent the Council at meetings with recognised Trade Unions and undertake such local negotiations as are required.	Chief Executive or any Corporate Director
213.	Staffing Issues	Power to sign on behalf of the Council all Terms and conditions of Employment relating to appointment of staff.	Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
214.	Staffing Issues	After consultation with the Chief Solicitor, power to seek external legal advice specific to the Council's Human Resources function.	Chief Executive or any Corporate Director
215.	Staffing Issues	Power to re-grade posts (subject to financial limits) or restructure Departments (subject to there being no net increased costs as a result of the restructuring).	Chief Executive
216.	Staffing Issues	Power, after consultation with the Leader and Chairman of Staffing Committee, to apply the Council's early Retirement/Redundancy Scheme if costs can be contained within the Budget and in accordance with Council Redundancy Policy.	Chief Executive
217.	Staffing Issues	Power to determine and where necessary, exercise discretion on, issues under the National Conditions of Service for all employees, except the Chief Executive.	Chief Executive
218.	Staffing Issues	Power to take all necessary and reasonable steps to avert or contain local industrial action.	Chief Executive
219.	Staffing Issues	Power to decide, in cases of redeployment of Officers, whether protection of earnings and other conditions of service shall apply.	Chief Executive
220.	Staffing Issues	Power to authorise the payment of financial assistance to Officers in accordance with the Council's Scheme.	Chief Executive
221.	Staffing Issues	Power to authorise special leave of absence in excess of normal entitlement.	Chief Executive
222.	Staffing Issues	Power to award increments under the performance provisions.	Chief Executive
223.	Staffing Issues	Power to review annually, and where necessary change annually the financial limit for car loans granted to Officers under the Assisted Purchase Scheme, in accordance with the established formula.	Chief Executive
224.	Staffing Issues	Power to review, and where necessary	Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		change annually, the amount of Lump Sum Subsistence Allowances paid to staff.	
225.	Staffing Issues	Power to sign compromise or similar agreements. (<i>Explanation: agreements under which employees agree to the termination of their employment with the council</i>)	Chief Executive
226.	Staffing Issues	Power to engage permanent employees below the level of Chief Officer within the meaning of the Local Government and Housing Act 1989 s2(8).	Chief Executive
227.	Staffing Issues	Power to appoint staff within the approved budget and in accordance with the Council's grading policy.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
228.	Staffing Issues	After consultation with the Council's Human Resources advisers and within the overall staffing policies approved by the Council power to agree minor variations to the conditions of service of staff within the Service where this is considered to be expedient, for the enhancement of service delivery.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
229.	Staffing Issues	Power to fill vacancies for all other appointments below Head of Service level, which are included in the approved establishment of a department.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
230.	Staffing Issues	Power to approve grading changes subject to policy directives on salary determination.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
231.	Staffing Issues	Power to authorise overtime working for the Council's employees and the appointment of temporary staff and the use of agency and	Chief Executive, any Corporate Director, or any

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		other facilities when necessary, subject to budget.	Head of Service acting within their Service
232.	Staffing Issues	After consultation with the Chief Executive, and subject to budgetary provision, power to approve changes to the establishment structure of the Service.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
233.	Staffing Issues	Power to authorise Officers to attend conferences and courses of not more than one week's duration, provided it is contained within the budget.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
234.	Staffing Issues	Power to authorise and make suitable arrangements for post entry training.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
235.	Staffing Issues	Power to authorise salary increments including accelerated increments under the National Joint Council Scheme of Conditions of Services or any other local conditions.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
236.	Statutory Issues	All statutory powers, duties and responsibilities of the Head of Paid Service.	Chief Executive
237.	Statutory Issues	Duty to act as the Proper Officer for the purposes of the Local Government Act 1972 s96(2), (<i>Explanation: concerning the declaration of interests by members</i>)	Chief Executive
238.	Statutory Issues	Power to authorise, for the purpose of the Local Government Act 1972 s223 and the County Court Act 1984 s60, named Officers, to prosecute or defend on the Council's behalf or to appear on its behalf in proceedings in the Magistrates and County	Chief Executive

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		Courts.	
239.	Statutory Issues	Power to affix and attest the Seal of the Council to any deed or other document.	Chief Executive and any Corporate Director
240.	Statutory Issues	After consultation with the Chief Solicitor, power to administer formal cautions within the guidelines set out in Home Office (Circular 59/1990 or any new guidelines from time to time issued by the Home Office), and the agreed codes and procedures of the Council	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
241.	Statutory Issues	Power to serve requisitions for information as to ownership, occupation or other interest in land for the purposes of any of the functions performed by the service.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
242.	Statutory Issues	Power to authenticate any documents necessary for the exercise of delegated powers	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
243.	Statutory Issues	Power to apply for licenses of any description.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
244.	Statutory Issues	Power, to commence proceedings or instigate legal proceedings for the purpose of enforcing any decision of the Council where this would be in the best interests of the Council.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
245.	Statutory Issues	Power to exercise statutory powers of entry and inspection for the purposes of any functions performed by the service.	Chief Executive, any Corporate Director, or any

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
			Head of Service acting within their Service
246.	Statutory Issues	Power to sign Statements of Truth in civil proceedings as required by the Civil Procedure Rules 1998 Part 22.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
247.	Statutory Issues	All statutory powers, duties and responsibilities of the Monitoring Officer.	Monitoring Officer or their Deputy
248.	Statutory Issues	All statutory powers, duties and responsibilities of the Chief Financial Officer.	Chief Financial Officer
249.	Statutory Issues	Power to authenticate any documents necessary for the exercise of the functions of the Planning Committee or of any powers delegated to Officers by the Planning Committee.	Chief Executive, any Corporate Director, or Chief Solicitor
250.	Statutory Issues	Power to serve requisitions for information as to ownership, occupation or other interest in land for the purposes of any of the functions of the Council and to take legal proceedings for failure to provide information required by a statutory requisition for information	Chief Executive, any Corporate Director, or Chief Solicitor
251.	Statutory Issues	Power to make decisions on the commencement or defence of civil or criminal proceedings by the Council, including any instance where it is being considered by an Officer acting under delegated powers.	Chief Executive, any Corporate Director, or Chief Solicitor
252.	Statutory Issues	Power to authorise, if appropriate, staff to appear on behalf of the District Council County in Magistrates' Court pursuant of the County Courts Act 1984 s60 and the Local Government Act 1972 s223.	Chief Executive, any Corporate Director, or Chief Solicitor
253.	Statutory Issues	Power to act as the Proper Officer for the	Chief Executive,

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
		purpose of the Local Government (Miscellaneous Provisions) Act 1976 s41 (Evidence of Resolutions and Minutes of Proceedings etc).	any Corporate Director, or Chief Solicitor
254.	Statutory Issues	Power to take action in respect of unauthorised encampments under the Criminal Justice and Public Order Act 1994 ss77, 78 and 79	Chief Executive, any Corporate Director, or Chief Solicitor
255.	Statutory Issues	Power to give a Certificate of Opinion in respect of any application to the Independent Adjudicator for an application for exemption from the political restrictions under the Local Government and Housing Act 1989	Chief Executive, any Corporate Director, or Chief Solicitor
256.	Statutory Issues	Power to authorise legal proceedings, or prosecution, in respect of offences under the Town and Country Planning Acts and associated legislation	Chief Executive, any Corporate Director, or Chief Solicitor
257.	Statutory Issues	Power to defend, or otherwise dispose of proceedings against the Council.	Chief Executive, any Corporate Director, or Chief Solicitor
258.	Statutory Issues	Power to represent the Council on appeals to the Court in respect of all matters arising under the Licensing Act 2003, including applications for awards of costs	Chief Executive, any Corporate Director, or Chief Solicitor
259.	Statutory Issues	Power to act as the Proper Officer for: <ul style="list-style-type: none"> • the purposes of the Local Government (Committees and Political Groups) Regulations 1990; and • the purposes of the Local Government (Miscellaneous Provisions) Act 1976 s41 (Evidence of Resolutions and Minutes of Proceedings etc). 	Chief Executive, any Corporate Director, or Chief Solicitor
260.	Statutory Issues	Power to be the Single Point Of Contact ("SPOC") for the purpose of the Regulation of Investigatory Powers Act, 2000.	Chief Executive, any Corporate Director, or Chief Solicitor

Ref No	Function	Delegated Power, Duty or Responsibility	Officer(s) granted Delegation
261.	Street Closures	Power to determine applications under the Town Police Clauses Act 1847 s21 for the closure of roads in connection with street parties to celebrate specific events, processions and sporting events.	Chief Executive, any Corporate Director, or Chief Solicitor
262.	Tendering	Power to select, after consultation with the relevant Cabinet Member, suitable firms to tender for contracts who have replied to a public notice, and to provide and maintain a standing list of contractors and suppliers for selective tendering in accordance with Contracts Standing Orders.	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
263.	Urgent Decisions	Power to make urgent decisions after consultation with the Leader (or Deputy Leader in the absence of the Leader) of the Council on any matters where it is not practicable to refer these to a meeting of the Council, the Cabinet or other Committee, provided that a full report on any decisions taken shall subsequently be made.	Chief Executive and any Corporate Director
264.	Urgent Decisions	Where it is not practicable to call a meeting of Cabinet or otherwise obtain an executive decision to deal with any urgent matter within the terms of reference of the Council, Cabinet or Committee, and after consultation with the Leader, Chief Executive, Chairman of the Committee, or their respective deputies, power to implement an executive decision provided that an urgent decision is necessary	Chief Executive, any Corporate Director, or any Head of Service acting within their Service
265.	Waste Management	Power to decide on applications for back door collections of refuse or green waste, where applicable.	Chief Executive, any Corporate Director, or Head of Technical Services

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