

Part 3

Responsibility for Functions

Responsibility for Functions

1.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the Functions Regulations") give effect to section 13 of the Local Government Act 2000 by specifying three kinds of functions:

- (a) those functions which may (but need not) be the responsibility of the Cabinet (the "Local Choice Functions");
- (b) those functions which must not be the responsibility of the Cabinet ("Council Functions");
- (c) those functions which are to some extent the responsibility of the Cabinet (the "Shared Functions").

The following tables show how the Council will discharge functions in each of these categories. All other functions are to be the responsibility of the Cabinet.

Part 3 of the Constitution also contains:

Appendix B. Details of the appointment and functions of Proper and Designated Officers; and

Appendix C. The Council's Scheme of Delegation specifying those functions which, by virtue of the adoption of this Constitution, are deemed to be delegated by the responsible body to Council staff.

RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

Functions (as set out in Schedule 2 to the Functions Regulations) (Functions which may (but need not be) the responsibility of the Cabinet)	Decision Making Body	Functions Delegated
Any functions under a local Act	Council	Local Area Committees (where local issue)
Determination of appeals against Council decisions (except employment issues covered below)	Cabinet	Local Area Committees (where local issue)
Functions relating to contaminated land	Cabinet	Local Area Committees
Functions relating to the control of pollution or the management of air quality	Cabinet	Local Area Committees
Functions relating to statutory nuisances pursuant to ss.79-80 Environmental Protection Nuisance Act 1990	Cabinet	Local Area Committees
Application of Schedule 2 Noise and Statutory Nuisance Act 1993	Cabinet	Local Area Committees
Information requisition pursuant to s.330 Town and Country Planning Act 1990	Cabinet	Local Area Committees

Functions (as set out in Schedule 2 to the Functions Regulations) (Functions which may (but need not be) the responsibility of the Cabinet)	Decision Making Body	Functions Delegated
Information requisition pursuant to s.16 Local Government (Miscellaneous Provisions) Act 1976	Cabinet	Local Area Committees
Appointment (and revocation) of individuals to other offices or bodies	Cabinet	Local Area Committees (where local issue)
Making of agreements for the execution of highway works	Council	Local Area Committees

RESPONSIBILITY FOR COUNCIL FUNCTIONS

Functions (as set out in Schedule 1 to the Functions Regulations) (Functions <u>not</u> to be the responsibility of the Cabinet)	Decision Making Body	Functions Delegated
Functions relating to town and country planning and development	Council	Local Area Committees
Functions relating to licensing and registration	Council	Admin Committee/ Area Committees
Functions relating to health and safety at work	Council	Audit and Resources
Functions relating to elections and parishes	Council	Admin Committee
Functions relating to name and status of areas and individuals	Council	
Powers to make, amend, revoke or re-enact byelaws	Council	Local Area Committees (where local issue)
Power to promote or oppose local or personal bills	Council	
Functions relating to pensions (nb the pension service is administered by Hampshire Pension Services)	Council	
Miscellaneous functions relating to footpaths, bridleways and highways	Council	Local Area Committees
Functions relating to financial matters	Council	
Functions relating to sea fisheries	Council	Admin Committee

Functions (as set out in Schedule 1 to the Functions Regulations) (Functions <u>not</u> to be the responsibility of the Cabinet)	Decision Making Body	Functions Delegated
Miscellaneous functions relating to trees, hedgerows and limestone pavements	Council	Local Area Committees
Miscellaneous functions relating to standing orders	Council	
Functions relating to the appointment of staff at Executive Head Level and above	Council	Executive Heads, Chief Executive or Corporate Directors for staff below Executive Heads
Functions relating to payments or benefits in cases of maladministration etc	Council	Committee responsible for relevant function (or Chief Executive, Chief Financial Officer and Monitoring Officer if a Cabinet function)

RESPONSIBILITY FOR SHARED FUNCTIONS

Functions (as set out in Schedule 3 to the Functions Regulations)	Responsible Body
<p>Crime and Disorder Reduction Strategy:</p> <ul style="list-style-type: none"> - To coordinate the production of the Council's Crime and Disorder Reduction Strategy - Formulation of the Council's Plan and Strategies which together comprise the Development Plan 	<p>The Cabinet will be responsible for preparing the draft Plans/Strategies and submitting them to the Council.</p> <p>The Council will be responsible for approving and adopting the final Plans/Strategies</p>

OTHER FUNCTIONS EXPRESSLY DELEGATED BY COUNCIL

Legislation	Description	Body/Committee function delegated to	Date of delegation
Localism Act 2011 - Part 5 Chapter 2	Community Right to Challenge	Cabinet	18 October 2012

APPENDIX B (Part 3 - Responsibilities for Functions)

APPOINTMENT OF PROPER AND DESIGNATED OFFICERS

For the purposes of relevant legislation the Council has made the following appointments for the duties or functions shown in the Appendix following this page.

** The **Proper Officer** means an **Officer** appointed by the Council to discharge a particular function as set out in section 270(3) of the Local Government Act 1972.*

Appendix B (Part 3 - Responsibilities for Functions)

APPOINTMENT OF PROPER AND DESIGNATED OFFICERS

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
LOCAL GOVERNMENT ACT 1972	13(3)	The Officer to act as Parish Trustee in a parish which does not have a Parish Council.	Monitoring Officer
	83(1)	The Officer before whom a person elected to the Officer of Chair, Vice- Chair or Councillor the District shall make a declaration of acceptance of office in a form prescribed by rules under s.42 of the Act and to whom such a declaration shall be delivered.	Chief Executive or Monitoring Officer
	84	The Officer to whom a person elected to any office under the Act may at any time give written notice of his resignation from that office.	Chief Executive or Monitoring Officer
	89(1)	The Officer to receive notice in writing given by two local government electors for the District of a casual vacancy occurring in the office of Councillor.	Chief Executive or Monitoring Officer

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
	100B, C D and F	The Officer responsible for providing access to agendas, minutes, reports and background documents in respect of meetings of the Authority	Executive Head of Governance
	115(2)	The Officer to whom all money due from every officer employed by the Council shall be paid.	Chief Financial Officer
	146	The Officer to make any statutory declaration in connection with the transfer of securities.	Chief Financial Officer
	151	The Officer who shall be responsible for the proper administration of the Council's financial affairs.	Chief Financial Officer
	210(6) and (7)	The Officer in whom shall vest the powers with respect to Charities carried out by officers of the "old" local authority where there is no corresponding officer in the new authority	Monitoring Officer
	225(1)	The Officer to receive and	Monitoring Officer

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
		retain a document of any description deposited pursuant to the Standing Orders of either House of Parliament or to any enactment or instrument.	
	229(5)	The Officer to certify a photographic copy of a document in the custody of or under the control of the Council or of a document which has been destroyed while in the custody of the Council, or of any part of any such document	Legal Services Manager
	234(1)	The Officer to sign any notice, order or other document made or issued by the Council.	Legal Services Manager
	236(1) and (9)	The Officer to send to the Council and each Parish Council a copy of every byelaw made by the Council and confirmed.	Legal Services Manager
	238	The Officer to certify a printed copy of a byelaw made by the	Legal Services Manager

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
		Council.	
	248(2)	The Officer to keep the roll of freedom of the town.	Monitoring Officer
	Schedule 12 para 4 (2)(b)	The Officer to sign the summons to attend meetings of the Council and specifying the business proposed to be transacted thereat.	Monitoring Officer
	4(3)	The Officer to receive the notice in writing from a member of the Council giving notice that such member desires summonses to attend meetings of the Council to be sent to him at some address specified in the notice other than his place of residence.	Monitoring Officer
	Schedule 14 para 25(7)	The Officer to certify in writing a true copy of the resolution of the Council applying or disapplying various provisions of the Public Health Acts 1875 to 1925.	Legal Services Manager
	Schedule 16	The Officer to receive and	Executive Head of Planning

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
		deposit lists of buildings of special architectural or historic interest.	and Economy
LOCAL GOVERNMENT ACT 1974	30(5)	The Officer to give public notice of the availability of reports of the Local Commissioner for Administration.	Chief Executive
PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984	74 (as amended)	Consultant in Communicable Disease Control / Consultant in Health Protection at Public Health England Southeast (or equivalent), to act as Proper Officer for the following purposes	Executive Head of Environment
THE HEALTH PROTECTION (NOTIFICATION) REGULATIONS 2010	2, 3, 6	<p>Receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons.</p> <p>Public Health (Control of Disease) Act 1984 Section 48 as amended by Health and</p>	Executive Head of Environment

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
		<p>Social Care Act 2008.</p> <p>Preparation of certificate to Justice of Peace for removal of body to mortuary and for burial within a prescribed time or immediately.</p>	
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976	41	The Officer signing certificates as evidence of resolutions and minutes of proceedings, etc	Monitoring Officer
REPRESENTATION OF THE PEOPLE ACT 1983	8	The Officer to act as Electoral Registration Officer	Chief Executive
REPRESENTATION OF THE PEOPLE ACT 1983	35	The Officer to act as Returning Officer for elections of Borough Councillors and Parish Councillors	Chief Executive
THE LOCAL ELECTION (PRINCIPAL AREAS) RULES 1986		The Officer of the Borough Council to act under the Rules for the purposes of elections, including the receipt of all documents and returns.	Monitoring Officer
THE LOCAL ELECTION (PRINCIPAL AREAS) RULES 1986 AND COMMUNITIES RULES 1986		The Officer of the Borough Council to act under the Rules for the purposes of parish elections, including the receipt of all documents and returns.	Monitoring Officer

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
PARISH AND COMMUNITY MEETINGS (POLLS) RULES 1987		The Officer to act as Returning Officer.	Chief Executive
HOUSING		The Officer to sign certificates submitted in the Council's role as lending authority for any housing association schemes.	Legal Services Manager
HEALTH AND SAFETY AT WORK ACT ETC 1974	39	Power to institute proceedings for breaches of provisions under the Act.	Executive Head of Environment
LOCAL GOVERNMENT AND HOUSING ACT 1989	4	The Officer to act as head of the paid service.	Chief Executive
	5	The Officer to act as the monitoring officer.	Monitoring Officer
LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990 AND 1991		The Officer to accept political group notices. The Officer to receive notices of Councillors' pecuniary interests.	Chief Executive Monitoring Officer
BUILDING ACT 1984	S.78	The Officer to deal with dangerous buildings or structures in emergencies.	Executive Head of Planning and Economy
GENERAL		Any reference in any enactment passed before or	Monitoring Officer

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
		<p>during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any instrument made before 26 October 1972 to the Town Clerk of the Borough which, by virtue of any provision of the said Act was to be construed as reference to the Proper Officer of the Council.</p> <p>Any reference in the Local Government Act 1972 to the Proper Officer of the Council except where one has been designated above.</p> <p>Any reference in any enactment passed after the 1971/72 session of Parliament or to be passed to the Proper Officer of the Council unless or until a specific appointment of another Officer has been made by the Council.</p>	<p>Monitoring Officer</p> <p>Monitoring Officer</p>
LOCALISM ACT 2011		The Proper Officer to receive written requests for and grant	Monitoring Officer (with the ability to refer to the

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
		dispensations	Administration Committee if necessary)
THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012		The Proper Officer	Monitoring Officer
LOCAL GOVERNMENT ACT 2000		The Officer to whom a member of the Council shall give written notice to the effect that they or their partner is a member or in the employment of a specified company or other body or that they or their partner is a partner or in the employment of a specified person, or that they or their partner is the tenant of any premises owned by the Council.	Monitoring Officer
LICENSING ACT 2003		The Officer to receive notices of applications for Justices' Licences under Schedule 2 to the Licensing Act, 1964.	Legal Services Manager
LOCAL LAND CHARGES ACT		The Officer to act as local	Executive Head of Planning

ACT	SECTION OF ACT	DESCRIPTION OF THE RESPONSIBILITY	THE OFFICER OF THE COUNCIL APPOINTED AS THE PROPER OFFICER FOR THE DUTY OR FUNCTION REFERRED TO
1975		registrar for local land charges.	and Economy

SCHEME OF DELEGATION TO STAFF

1. GENERAL SCHEME OF DELEGATION

1.1 Subject to the following conditions and to any special conditions which may in future be applied in respect of particular matters, the Chief Executive, Corporate Directors, Executive Heads and Service Managers, or equivalent, are authorised to make such decisions and to initiate such action as they shall deem necessary in the interest of the efficient running of their teams or the services which they administer. In the absence of the Chief Executive, or at any time when they are unavailable, any or all of their powers shall be exercisable by any one of the Corporate Directors.

1.2 Any exercise of these delegated powers: -

- (a) Shall comply with the Council Constitution.
- (b) Shall not authorise expenditure except in accordance with approved estimates, and where loan sanction or other approval is required shall not precede the loan sanction or approval.
- (c) Shall not involve a new policy or extend an existing policy of the Council.
- (d) Shall not depart from any approved scale, or scheme, or any direction of the Cabinet or appropriate Committee.
- (e) Shall be the subject of prior consultation with the Chief Executive and the appropriate professional or technical officers of the Council in any case involving considerations not wholly within the province of the Chief Officer concerned.

1.3 In the absence of a Service Manager or equivalent, powers delegated to them by this Scheme may be exercised by the next above senior officer. The question of whether a Service Manager or equivalent, or any other officer has exercised a power shall not be of any concern nor prejudice in any way any person dealing with the Council.

1.4 It is recognised that it is not possible for the Chief Executive, Corporate Directors, Executive Heads and Service Managers or equivalent, nor the next Senior Officers in the absence of the Service Manager to perform personally all the diverse and various matters delegated to them by this scheme. Therefore such Senior Officers may make internal arrangements under which other staff will be authorised to carry out the functions delegated to the named officers in this Scheme. Such arrangements may be made formally in writing but, in the event of an emergency, shall be equally valid if made orally and informally. Such arrangements shall provide generally that any formal documents which need to be issued are issued and signed in the name of the officer to whom the

delegation is made by this Scheme. Such signature may be a facsimile in accordance with s234(2) of the Local Government Act 1972. Officers authorised to carry out the function delegated to the named officer in this scheme shall not sub-delegate the authority. Staff will be delegated powers by the relevant named officer based on competency and details will be retained in a competency matrix by the relevant Executive Area.

1.5 Officers must have due regard to the document relating to Scheme of Delegation (appendix C below).

1.6 The statutory provisions mentioned in this Appendix shall be deemed to include any statutory amendment, modification or re-enactment of any of those provisions.

2. SPECIFIC STAFF DELEGATIONS

2.1 For the avoidance of doubt and without prejudice to the exercise of the powers delegated above in part 1 the following specific functions are expressly delegated to the following Officers, except where under any Council approved Scheme of Management Devolution, whether a Pilot Project or not, powers of management have been devolved from an Service Manager, or equivalent, to the next senior officer or other officer, when such officer shall have full power in place of the relevant Service Manager. Any conditions applying to the delegation are shown in italics in each case: -

APPENDIX C (Part 3 - Responsibilities for Functions)

SCHEME OF DELEGATION TO STAFF

SPECIFIC FUNCTION	DELEGATION
General Functions	
1. Authority to act on behalf of any other manager having delegated authority under the scheme.	Chief Executive or Corporate Directors
2. Power to act in an emergency.	Chief Executive or Corporate Directors
3. Power to act in matters of urgency: (a) Cabinet level action <i>In consultation with the relevant Cabinet Member (or, in their absence, the Leader)</i> (b) LAC or other level action <i>In consultation with Cabinet Member of relevant Committee (or Chair of Committee where statute precludes decision by the Cabinet).</i>	Chief Executive or Corporate Directors
4. The appointment of Service Managers	Chief Executive, Corporate Directors or Executive Heads
5. Exploring and embracing partnership working approaches wherever possible and appropriate.	Chief Executive, Corporate Directors or Executive Heads
6. The responsibility for risk management in liaison with the Chief Financial Officer.	Chief Executive
7. Sign jointly with the Leader of the Council the Annual Governance Statement	Chief Executive
Finance Functions	
8. Management of the Collection Fund. <i>Subject to periodic report to the Cabinet</i>	Chief Financial Officer
9. The agreement of precept payment dates for County Council precept.	Chief Financial Officer
10. The premature re-payment of mortgage loans in cases where applications are received from the personal representatives of deceased investors for such repayment.	Chief Financial Officer
11. The administration on the Council's Treasury Management function in accordance with the annual investment borrowing strategy. <i>Subject to report to the Council</i>	Chief Financial Officer
12. The writing off: - (a) of debts not exceeding £5,000 in any case	Chief Financial Officer

SPECIFIC FUNCTION	DELEGATION
<p>where the Chief Financial Officer is satisfied that there are sound reasons for doing so; and</p> <p>(b) of debts for whatever amount when compulsory liquidation or bankruptcy proceedings are commenced and where voluntary arrangements with creditors are started by or in relation to insolvent companies or individuals.</p>	
13. Responsibility for maintaining an adequate and effective system of internal audit.	Chief Financial Officer
14. Maintain and develop the Council's risk management policy in liaison with the Chief Executive	Chief Financial Officer
Functions relating to staff resources	
<p>15. (a) The appointment of Service Managers (or equivalent)</p> <p>(b) The appointment of staff below the level of Service Manager (or equivalent) in line with the agreed establishment in their area of responsibility.</p>	<p>Corporate Director or Executive Head</p> <p>Executive Head or Service Manager</p>
16. The appointment of temporary staff as and when required for the effective operation of the authority subject to availability of finance from the team's staffing budget.	Executive Head or Service Manager
17. Before taking any decision in discharge of their responsibilities, Executive Head or Service Managers should consider relevant risk management issues.	Executive Head or Service Manager
18. The authorisation of car allowances, loans or leases within Council policy.	Executive Head or Service Manager
19. The authorisation of telephone allowances.	Executive Head or Service Manager
20. The attendance of officers on full or part-time courses of study (including correspondence courses), conferences and seminars.	Executive Head or Service Manager
21. The authorisation of planned overtime.	Executive Head or Service Manager
22. The authorisation of travelling and subsistence allowances.	Executive Head or Service Manager
23. The authorisation of unpaid leave up to three months.	Executive Head or Service Manager
24. Variations in establishments involving the replacement of individual posts by lower graded posts.	Executive Head or Service Manager (in consultation with Human Resources)
25. Approval of changes to designations of posts below Service Managers or equivalent.	Executive Head or Service Manager
26. To approve up to 18 days paid leave of absence	Executive Head or Service

SPECIFIC FUNCTION	DELEGATION
a year for employees undertaking public duties specified in the Employment Protection Act.	Manager
27. To grant compassionate leave as appropriate to the circumstances.	Executive Head or Service Manager
28. Exploring and embracing partnership working approaches wherever possible and appropriate.	Executive Head or Service Manager
Functions relating to lettings, leases and licences	
29. The management and letting of theatres in accordance with the policy laid down by the Council.	Head of Arts and Culture (in consultation with the Lead Asset Manager)
30. The granting of new leases or licences in theatres or variation to existing leases and licences.	Head of Arts and Culture (in consultation with the Lead Asset Manager)
31. The granting of new leases or licences in the Country Parks or variation to existing leases and licences.	Countryside Manager (in consultation with the LAC Chair and Lead Asset Manager)
32. The letting of leisure and sports facilities in accordance with the policy laid down by the Council.	Executive Head of Health and Wellbeing (in consultation with Lead Asset Manager)
33. The letting of accommodation at sports pavilions in accordance with the policy laid down by Council.	Executive Head of Health and Wellbeing (in consultation with Lead Asset Manager)
Functions relating to housing matters, homelessness and benefits	
34. The exercise of powers and duties under homelessness legislation.	Executive Head of Health and Wellbeing
35. Liaison with Health Authorities in respect of the provision of medical advice to the Local Authority on housing matters.	Executive Head of Health and Wellbeing
36. Liaison with external agencies such as the Cabinet Office, Social Services, Health Authorities, housing associations, etc on matters relevant to the provision, repair, improvement, management, etc of social housing.	Executive Head of Health and Wellbeing
37. Payments to Registered Social Landlords in relation to mortgage rescue.	Executive Head of Health and Wellbeing
38. The determination of applications for home loss, disturbance and removal in accordance with statutory requirements.	Executive Head of Health and Wellbeing
39. The determination of applications for Disabled Facilities Grants, other grants and loans in accordance with the statutory requirements and within the limits of Council policy.	Executive Head of Health and Wellbeing
40. The determination of applications for continuation or restoration of services under Section 33 of the Local Government (Miscellaneous Provisions)	Executive Head of Health and Wellbeing

SPECIFIC FUNCTION	DELEGATION
Act 1976.	
41. To submit applications to Homes England to waive conditions related to grant funded shared ownership housing in Designated Protection Areas.	Executive Head of Health and Wellbeing
42. To deal with all matters relating to the administration of Housing Benefit, including the determination and payment of benefit, the exercising of discretionary powers, all decisions relating to the recovery or non-recovery of recoverable overpayments of this benefit, and determining appropriate sanctions to administer in case of fraud in accordance with the Social Security Contributions and Benefits Act 1992 and the Social Security Administration Act 1992 as amended by Schedule 9 of the Local Government Finance Act 1992 and any regulations or any subsequent re-enactment or statutory provision.	Executive Head of Finance and Housing Programme
43. To determine and pay claims for Discretionary Housing Payments in accordance with the scheme policy statement.	Executive Head of Finance and Housing Programme
44. The authorisation of persons to appear in Magistrates' Court on behalf of the Council for the recovery of benefit overpayments and to prove any such sums due to the Council, pursuant to Section 223 of the Local Government Act 1972.	Executive Head of Finance and Housing Programme
45. The completion and signing off, of all financial and statistical returns for Benefits, as required by Government, in consultation with the Chief Financial Officer.	Executive Head of Finance and Housing Programme
46. To deal with all matters relating to the administration of the Council Tax Reduction Scheme (Council Tax Support) including the determination of appropriate sanctions.	Executive Head of Finance and Housing Programme
47. To authorise the write-off of debts relating to Housing Benefit for debts below £5,000.	Executive Head of Finance and Housing Programme
Functions relating to planning and development matters	
48. The signing of notices conveying decisions of the Council in respect of applications for planning permission, discharge of planning conditions, the display of advertisements, listed building and conservation area consent and applications for felling, topping, lopping etc of trees covered by Tree Preservation Orders.	Executive Head of Planning and Economy
49. The determination of planning applications (excluding those relating to trees which are dealt with below) except: -	Executive Head of Planning and Economy

SPECIFIC FUNCTION	DELEGATION
<p>(a) Applications which, in the opinion of the Executive Head of Planning and Economy have a significant impact on the environment, or are controversial or potentially controversial;</p> <p>(b) Applications which three members from the Local Area Committee require to be submitted to Committee within 21 calendar days of that application appearing on the weekly list of planning applications received;</p> <p>(c) Any application which the Executive Head of Planning and Economy wishes for any reason to submit to the Committee;</p> <p>(d) Any application where a Councillor has declared or is shown to have a disclosable pecuniary interest</p> <p>(e) Any application where a member of staff would have a personal interest and could be seen to influence the decision.</p> <p>(f) Any applications submitted by former planners or technical staff band 8 or above within one year of leaving the Council's service or from applicants or agents employing such former members of staff.</p>	
<p>50. The determination of observations on 'County matter' planning applications except those within 2(a) - (e) above</p>	<p>Executive Head of Planning and Economy</p>
<p>51. The determination of observations to neighbouring Planning Authorities in respect of planning applications within their area on which the Borough Council has been formally consulted.</p>	<p>Executive Head of Planning and Economy</p>
<p>52. The determination of applications for consent to fell, lop or top any trees covered by a tree preservation order except where:</p> <p>(a) three members from the Local Area Committee require the matter to be submitted to Committee within 21 calendar days of that application appearing on the weekly list of planning applications received:</p> <p>(b) the matter, in the opinion of the Executive Head of Planning and Economy, is controversial or potentially controversial; or</p>	<p>Executive Head of Planning and Economy</p>

SPECIFIC FUNCTION	DELEGATION
<p>(c) Any application where a Councillor has declared or is shown to have a disclosable pecuniary interest</p> <p>(d) Any application where a member of staff would have a personal interest in the outcome of the decision.</p>	
53. Minor amendments to approved details.	Executive Head of Planning and Economy
<p>54. Subject to consultation with the Legal Services Manager:</p> <p>(i) Authorise the issue of Enforcement Notices;</p> <p>(ii) Authorise the issue of Stop Notices;</p> <p>(iii) Authorise the issue of Breach of Conditions Notices;</p> <p>(iv) Authorise the issue of Section 215 Notices;</p> <p>(v) Authorise the issue of Section 330 notices</p> <p>(vi) Authorise the issue of Tree Replacement Notices;</p> <p>(vii) Authorise the issue of Planning Contravention Notices;</p> <p>(viii) Authorise the issue of Section 3 Listed Building Preservation Notices;</p> <p>(ix) Authorise the issue of Section 38 Listed Building Enforcement Notices;</p> <p>(x) Authorise the issue of Section 54 Listed Building Urgent Repairs Notices;</p> <p>(xi) Authorise the issue of Section 48 Listed Building Repairs Notices;</p> <p>(xii) Authorise prosecution for failure to comply with requirements of i-x;</p> <p>(xiii) Authorise prosecution for illegal advertising;</p> <p>(xiv) Authorise prosecution for unauthorised works to protected trees;</p> <p>(xv) Authorise injunction and similar enforcement proceedings in the courts;</p> <p>(xvi) Authorise prosecution and committal proceedings for breach of orders obtained under any of the foregoing;</p> <p>(xvii) Authorise any other enforcement or remedial action including direct action as permitted by statute</p>	Executive Head of Planning and Economy (in consultation with the Legal Services Manager)
55. To refuse an application not otherwise delegated to them, where the applicant has delayed unreasonably provision of information needed to facilitate the determination of the application.	Executive Head of Planning and Economy
56. The exercise of power of entry, sampling and inspection given by any relevant legislation,	Executive Head of Planning and Economy

SPECIFIC FUNCTION	DELEGATION
including the authority to authorise anyone to effect such entry etc, subject to compliance with the limits of any enactment.	
57. To determine complaints made by the owner/occupiers of domestic property adversely affected by evergreen hedges over two metres high (in the case of hedges not owned by the Council).	Executive Head of Planning and Economy
<p>58. (i) To determine whether an environmental assessment and/or statement and/or similar appraisal is required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or any amended, re-enacted or equivalent legislation.</p> <p>(ii) To decide whether to adopt a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or any amended, re-enacted or equivalent legislation.</p> <p>(iii) To give a scoping opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or any amended, re-enacted or equivalent legislation.</p> <p>(iv) Determine whether an application should be accompanied by an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or any amended, re-enacted or equivalent legislation.</p>	Executive Head of Planning and Economy
59. To determine and/or decide and/or advise about whether or not any requirement prerequisite to the proper exercise of any of the above functions is fulfilled (refer to function 58).	Executive Head of Planning and Economy
60. To perform or procure the performance of any duties or requirements which are necessary, desirable or otherwise ancillary to the proper discharge of any of the above functions (refer to function 58).	Executive Head of Planning and Economy
61. Determination of the type of planning appeal and amendments to Council's case during the course of appeal, subject to consultation as deemed appropriate with the chair of the relevant Local Area Committee and Legal Services Manager and representing the Council at appeal as necessary.	Executive Head of Planning and Economy
62. To carry out all functions and responsibilities associated with the Local Land Charges Act	Executive Head of Planning and Economy

SPECIFIC FUNCTION	DELEGATION
1975, any subsequent legislation or regulations and the Council's responsibilities for maintaining and operating the Register of Local Land Charges including, but not limited to, the setting of fees.	
63. To determine applications for hazardous substances consent and related powers under section The Planning (Hazardous Substances) Act 1990	Executive Head of Planning and Economy
64. The administration of The Building Regulations 2010 and other related legislation to include: (i) Hampshire Act 1980 (ii) Sustainable and Secure Buildings Act 2004 (iii) Safety at Sports Grounds Act 1975 (iv) Disability Discrimination Act 1995 (v) Licensing Act 2003 (vi) Local Govt (Misc. Provisions) Act 1982 (vii) Clean Neighbourhoods and Environment Act 2005	Executive Head of Planning and Economy
65. Power to deal with dangerous structures.	Executive Head of Planning and Economy
66. The approval and extension for temporary periods not exceeding three years of buildings constructed of short-lived materials. The approval of grants for listed buildings in accordance with current policy	Executive Head of Planning and Economy
67. The service of Hedgerow Retention Notices.	Executive Head of Planning and Economy
68. The exercise of power of entry, sampling and inspection given by any relevant legislation, including the authority to authorise anyone to effect such entry etc, subject to compliance with the limits of any enactment.	Executive Head of Planning and Economy
Functions relating to neighbourhood services	
69. The enforcement of the legislation below (function 70) relating to neighbourhood services, including the appointment of named officers or as inspectors, and the designation of powers that they may use, including issuing fixed penalty notices, directions and orders, serving notices and seizure.	Executive Head of Neighbourhood Services
70. Environment Protection Act 1990: Part II – Waste on Land; Part IV – Litter, Refuse Disposal Amenity Act 1978: Sections 2 and 3 (abandoned vehicles), Clean Neighbourhoods and Environment Act 2005: Part 2 – Vehicles; Part 3 – Litter and refuse; Part 4 – Graffiti and other defacement; Part 5 – Waste, transport, deposit and disposal;	Executive Head of Neighbourhood Services

SPECIFIC FUNCTION	DELEGATION
Part 9 – Miscellaneous powers	
71. The maintenance of individual grave spaces, the erection of headstones, memorials, inscriptions etc in the Council's cemeteries and burial grounds.	Executive Head of Neighbourhood Services
72. The grant, surrender and repurchase of exclusive rights of burial in grave spaces.	Executive Head of Neighbourhood Services
73. The powers to make, modify, vary, and confirm, not to confirm or revoke a Tree Preservation Order except where: (a) three members from the Local Area Committee require the matter to be submitted to Committee; (b) the matter, in the opinion of the Executive Head of Neighbourhood Services, is controversial or potentially controversial; or (c) Any application where a Councillor has declared or is shown to have a disclosable pecuniary interest (d) Any application where a member of staff would have a personal interest in the outcome of the decision.	Executive Head of Neighbourhood Services/ Environment
74. The exercise of power of entry, sampling and inspection given by any relevant legislation, including the authority to authorise anyone to effect such entry etc, subject to compliance with the limits of any enactment.	Executive Heads
75. The issue and revocation of parking permits for members of the public, businesses, visitors and carers for any resident parking scheme in the Borough within the policy of the Council.	Executive Head of Neighbourhood Services
Functions relating to statutory enforcement	
76. Delegated authority for the following, in conjunction with as necessary, the relevant Service Lead to carry out a range of tasks such as: <ul style="list-style-type: none"> • Site inspections from public land or where invited onto private land • Posting site notices and serving notices • Initial investigations and assessments, evidence gathering and preliminary interviews • Monitoring and compliance – contracts, repairs and assets • Customer visits • Enforcement visits • Liaison role 	Executive Heads of Customer Care/ Neighbourhood Services/ Planning and Economy/ Environment

SPECIFIC FUNCTION	DELEGATION
And to be given authority to authorise and determine which powers under the relevant legislation are to be exercised by particular authorised staff.	
77. The exercise of power of entry, sampling and inspection given by any relevant legislation, including the authority to authorise anyone to effect such entry etc, subject to compliance with the limits of any enactment.	Executive Heads of Customer Care/ Neighbourhood Services/ Planning and Economy/ Environment
78. The cancellation, as appropriate, of penalty charge notices which have been issued on or off the streets under the Road Traffic Act 1991/ Traffic Management Act 2004.	Executive Head of Neighbourhood Services/ Parking and CCTV Manager
79. To register any unpaid parking fines from the implementation of the Road Traffic Act 1991/ Traffic Management Act 2004 with the Traffic Enforcement Centre, so as to enforce the charge by requesting a warrant, and, on issue of that, to employ certificated enforcement agents (bailiffs) to execute the warrant.	Executive Head of Neighbourhood Services/ Parking and CCTV Manager
Functions relating to council tax and business rate matters	
80. The demand, collection and recovery of Council Tax, and Business Rate.	Executive Head of Finance and Housing Programme
81. The grant of mandatory rate relief under section 43(6) of the Local Government Finance Act 1988.	Executive Head of Finance and Housing Programme
82. The approval of applications for discretionary rate relief (under sections 44A and 47 of the Local Government Finance Act 1988) and reduction of remission of liability (under section 49 of the Local Government Finance Act 1988).	Executive Head of Finance and Housing Programme
83. The authorisation of persons to appear in Magistrates' Court on behalf of the Council for the recovery of unpaid Council Tax and Non-Domestic Rates and to prove any such sums due to the Council, pursuant to Section 223 of the Local Government Act 1972.	Executive Head of Finance and Housing Programme
84. The completion and signing off, of all financial and statistical returns for Council Tax, National Non-Domestic Rates as required by Government, in consultation with the Chief Financial Officer.	Executive Head of Finance and Housing Programme
85. To decide whether to apply penalties for non-disclosure or late disclosure of change of circumstances for Council Tax in accordance with prescribed regulations	Executive Head of Finance and Housing Programme
86. To authorise the write-off of debts relating to Council Tax and Business Rates for debts below £5,000.	Executive Head of Finance and Housing Programme
Functions relating to highways, roads and traffic matters	
87. The numbering and re-numbering of houses.	Executive Head of

SPECIFIC FUNCTION	DELEGATION
	Neighbourhood Services
88. The closure of the use of a highway by vehicles for a period not exceeding three months in cases of emergency. <i>Subject to reporting to the relevant Ward Councillors.</i>	Executive Head of Neighbourhood Services
89. Authority to make unopposed Traffic Regulation Orders.	Executive Head of Neighbourhood Services
90. The approval of temporary closure of roads. <i>Subject to notification of such approvals to the Group Spokespersons and Ward Councillors.</i>	Executive Head of Neighbourhood Services
91. The issue of hazardous substances contravention notices.	Executive Head of Environment
92. The implementation of disabled driver bays, subject to no objections being received through the statutory process.	Executive Head of Neighbourhood Services
93. The power to enter land, under Sections 14, 26 and 64 of the Land Drainage Act 1991, to enable officers to maintain, improve or construct watercourses or drains as defined in the legislation.	Executive Head of Neighbourhood Services
Functions relating to Environment and Health Permits/Consents/ Registrations/Enforcement	
<p>94. The enforcement of any relevant legislation and the appointment of named officers or categories of officers as authorised officers or as inspectors (including the power to designate the powers they may exercise) under any relevant legislation including:</p> <ul style="list-style-type: none"> • Dogs Act 1871 • Public Health Act 1875 • Open Spaces Act 1906 • Public Health Acts Amendment Act 1907 • Public Health Act 1936 • Prevention of Damage by Pests Act 1949 • Pet Animals Act 1951 • Caravan Sites and Control of Development Act 1960 • Public Health Act 1961 • Animal Boarding Establishments Act 1963 • Riding Establishments Act 1964 and 1970 • Local Government Act 1972 • European Communities Act 1972 <ul style="list-style-type: none"> o Regulation (EC) 852/2004 o Regulation (EC) 853/2004 o Regulation (EC) 854/2004 • The General Food Regulations 2004 • The Food Hygiene (England) Regulations 2006 • Official Control (Animals Food and Feed) 	Executive Heads of Customer Care /Health and Wellbeing /Neighbourhood Services /Environment

SPECIFIC FUNCTION	DELEGATION
<p>(England) Regulations 2006</p> <ul style="list-style-type: none"> • Official Feed and Food Controls (England) Regulations 2009 • Trade in Animals and Related Products Regulations 2011 • Health and Safety at Work Act 1974 • Control of Pollution Act 1974 • Local Government (Miscellaneous Provisions) Acts 1976 and 1982 • Dangerous Wild Animals Act 1976 • Refuse (Disposal) Amenity Act 1978 • Animal Health Act 1981 • Public Health (Control of Disease) Act 1984 • Zoo Licensing Act 1981 • Building Act 1984 • Housing Act 1985 • Hampshire Act 1983 • Local Government and Housing Act 1989 • Environmental Protection Act 1990 • Food Safety Act 1990 • Water Industry Act 1991 • Dangerous Dogs Act 1991 • Control of Dogs Order 1992 • Clean Air Act 1993 • Noise and Statutory Nuisance Act 1993 • Sunday Trading Act 1994 • Environment Act 1995 • Noise Act 1996 • Housing Grants, Construction and Regeneration Act 1996 • Pollution Prevention and Control Act 1999 • Vehicle (Crime) Act 2001 • The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 • Licensing Act 2003 • Housing Act 2004 • Clean Neighbourhoods and Environment Act 2005 • Health Act 2006 • Animal Welfare Act 2006 • The Animal Welfare (Licensing of Activities Involving Animals (England) Regulations 2018 • Control of Horses Act 2015 • Environmental Protection (Stray Dogs) 1992 • Sunbeds (Regulation) Act 2010 <ul style="list-style-type: none"> • Mobile Homes Act 2013 • The Anti-Social Behaviour, Crime and Policing Act 2014 <p>and regulations made thereunder.</p>	

SPECIFIC FUNCTION	DELEGATION
<p>95. The service of statutory notices under the following legislation:</p> <ul style="list-style-type: none"> • the Public Health Acts, • the Food Acts and regulations, • the Health and Safety at Work etc Act 1974, • the Control of Pollution Act 1974, • the Environmental Protection Act 1990, • the Refuse (Disposal) Amenity Act 1978, • the various Local Government (Miscellaneous Provisions) Acts, • the Prevention of Damage by Pests Act 1949, • the Clean Air Acts, • the Housing Act 2004, • the Clean Neighbourhoods and Environment Act 2005, • the Health Act 2006, • the Mobile Homes Act 2013, • the Building Act 1984, • the Pollution Prevention and Control Act 1999, • the Environment Act 1995 • the Anti-Social Behaviour, Crime and Policing Act 2014 (also see 96) <p>and the determination of any matter, e.g. satisfaction/opinion which must precede the service of such notices.</p>	<p>Executive Heads of Customer Care /Health and Wellbeing /Neighbourhood Services /Environment</p>
<p>96. The Specific delegations under the Anti-Social Behaviour, Crime and Policing Act 2014</p> <ul style="list-style-type: none"> • Civil injunctions • Community Protection Notice • Public Spaces Protection Order • Closure Powers 	<p>Legal Services Manager Executive Head of Environment Relevant Local Area Committee or Cabinet (when proposed PSPO covers more than one local area) Chief Executive</p>
<p>97. The execution of works required by statutory notice in default of compliance by the owner or occupier or person responsible.</p>	<p>Executive Heads of Customer Care /Health and Wellbeing /Neighbourhood Services /Environment</p>
<p>98. Authorisations, variations and revocations of such authorisations for prescribed processes under the Environmental Protection Act 1990.</p>	<p>Executive Heads of Customer Care /Health and Wellbeing /Neighbourhood Services /Environment</p>
<p>99. The exercise of all licensing, registration and approval functions including revocations,</p>	<p>Executive Heads of Customer Care /Health and</p>

SPECIFIC FUNCTION	DELEGATION
<p>refusals, transfers and variations in connection with (<i>subject to consultation with the appropriate Cabinet Member in respect of matters not within established Council policy</i>):</p> <ul style="list-style-type: none"> • pet animals, riding, animal boarding and dog breeding establishments, zoos and dangerous wild animals subject to a veterinary surgeon's report where appropriate. • performing animal exhibition trainers • food premises; • egg producers; • shops or places for Sunday trading; • pleasure boats and boatmen's licences; • caravan sites; • meat preparations and meat products; • skin-piercers; • rag flock and other filling materials; • street trading; • certain types of industrial activity • Pollution and prevention and control 	Wellbeing /Neighbourhood Services /Environment
100. The application of regulations 5 and 6 of the Health and Safety (Enforcing Authority) Regulations 1998.	Executive Head /Environment
101. The appointment and revocation of Proper Officers for public health functions.	Executive Head of Environment
102. The response to requests for information under the Environmental Information Regulations 1992.	Legal Services Manager
<p>103. The maintenance of Public Registers in respect of: -</p> <ul style="list-style-type: none"> • Food Premises • Health and Safety notices affecting the public • Cooling Towers • Caravan Sites • Prescribed Processes • Contaminated Land • Radioactive Substances • Found Stray Dogs 	Executive Heads of Customer Care /Health and Wellbeing /Neighbourhood Services /Environment
104. The execution of works required by statutory notice in default of compliance by the owner or occupier or person responsible.	Executive Heads of Customer Care /Health and Wellbeing /Neighbourhood Services /Environment
105. The exercise of power of entry, sampling and inspection given by any relevant legislation, including the authority to authorise anyone to effect such entry etc, subject to compliance with the limits of any enactment.	Executive Heads of Customer Care /Health and Wellbeing /Neighbourhood Services /Environment
106. The determination of applications for	Executive Heads of

SPECIFIC FUNCTION	DELEGATION
continuation or restoration of services under Section 33 of the Local Government (Miscellaneous Provisions) Act 1976.	Customer Care /Health and Wellbeing /Neighbourhood Services /Environment
Functions relating to pay and expenses	
107. Implementation of amendments to car mileage rates in accordance with nationally agreed scales. <i>In conjunction with the Chief Financial Officer.</i>	Human Resources Lead
108. Implementation of nationally and locally agreed amendments to salaries, rates of pay and conditions of service. <i>In conjunction with the Chief Financial Officer (in terms of budgetary considerations) and subject to a report to the Cabinet (other than for minor conditions of service changes).</i>	Human Resources Lead
Functions relating to legal proceedings, litigation and prosecution	
109. The institution of any legal proceedings in any criminal or civil courts or tribunals wherever this is considered appropriate and the defence of any proceedings brought against the Council, together with authority to take any necessary incidental steps connected therewith.	Legal Services Manager
110. To instigate, defend, participate in, settle or withdraw a prosecution or other legal proceedings where it is in the interest of the Council under section 222 of the Local Government Act 1972 and where the prosecution or other legal proceedings can be seen as assisting in fulfilling the Council's functions.	Legal Services Manager
111. The service of notice to quit where required to protect the Council's interest. <i>After consultation with the Lead Asset Manager</i>	Legal Services Manager
112. The signing of all documents and notices on behalf of the Council in relation to any formal or legal proceedings.	Legal Services Manager
113. The authorisation of persons: (a) to prosecute or defend on behalf of the Borough Council and appear in proceedings before the Magistrates Court pursuant to Section 223 of the Local Government Act 1972; (b) to appear in the County Court on behalf of the Borough Council in actions for the recovery of possessions of housing and commercial premises belonging to the Borough Council pursuant to Section 60 of the County Court Act 1984; and in actions for the recovery of debts and arbitration hearings;	Legal Services Manager

SPECIFIC FUNCTION	DELEGATION
(c) to appear on behalf of the Borough Council at Local Inquiries arising under the Town and Country Planning Acts and legislation relating to compulsory purchase.	
114. The execution of agreements for minor wayleaves over Council properties for drainage, gas, electricity and telephone facilities.	Legal Services Manager
115. The burial of deceased persons for whom no other arrangements have been made.	Executive Head of Environment
116. The service of notices under Land Drainage legislation.	Legal Services Manager
117. The execution of deeds under the Power of Attorney contained in the Highways Agency Agreement with the Hampshire County Council.	Legal Services Manager
118. Authority to affix the Common Seal of the Council to mortgage discharge deeds and other miscellaneous legal documents without the need for a formal resolution of the Council.	Legal Services Manager
<p>119. <i>Subject to the restrictions shown at the end of this item</i>, the exercise of licensing functions, including the issue, refusal, suspension or revocation of licences, permits and registrations as follows: -</p> <p>(a) Permits for amusement with prizes in accordance with Council policy.</p> <p>(b) Registration of organisations for the conduct of small lotteries.</p> <p>(c) Game dealers' licences.</p> <p>(d) Licences for house to house collections and permits for street collections.</p> <p>(e) Late night refreshment house licences.</p> <p>(f) Registration of scrap metal dealers.</p> <p>(g) Licences for the use of premises for cinematographic purposes.</p> <p>(h) Theatre licences.</p> <p>(i) Exercise of the various powers contained in the Local Government (Misc. Provisions) Act 1976 and the Town Police Clauses Act 1847 in connection with licences for hackney carriages (and private hire vehicles).</p>	Legal Services Manager

SPECIFIC FUNCTION	DELEGATION
<p>(j) Licences for places of entertainment.</p> <p>(k) Applications for registration of door supervisors for places of public entertainment and public houses.</p> <p>(l) The determination of applications for track betting licences, unless particularly controversial in which case this would be dealt with by the licensing panel of the relevant local area committee.</p> <p>(m) The determination of applications under the powers of the Licensing Act 2003 and the Gambling Act 2005.</p> <p>These matters are dealt with on the Council's behalf by Southampton City Council under a partnership agreement.</p> <p><i>Restrictions on delegation</i> <i>Subject to:</i> <i>For items (a) to (m)</i></p> <p><i>(i) consultation with the Chair of the relevant committee in respect of matters not within Council policy</i></p> <p><i>(ii) consultation with the Chair of the relevant committee on any proposal to refuse, suspend or revoke a licence (for reasons other than the fitness of a vehicle, the non-production of documents or in the in the interest of public safety under section 61 (2B) Local Government (Miscellaneous Provisions) Act 1976 in the case of hackney carriage or private hire licences {item(i)})</i></p>	
<p>120. <i>Additionally, for items (g), (h) and (j) (above):</i></p> <p>After Consultation with the Executive Head of Planning and Economy determination of applications under sections 191 (as amended) and 192 of the Town and Country Planning Act 1990 (certificates of lawful use or development or proposed use or development) and section 64 (applications to determine whether planning permission is required).</p>	Legal Services Manager
<p>121. The consultation processes required by the Highways Act 1980 and the Wildlife and Countryside Act 1981 in relation to public footpaths</p>	Legal Services Manager

SPECIFIC FUNCTION	DELEGATION
122. The exercise of power of entry, sampling and inspection given by any relevant legislation, including the authority to authorise anyone to effect such entry etc, subject to compliance with the limits of any enactment.	Legal Services Manager
123. To enter into agreements in respect of parking adjudication.	Legal Services Manager
124. To authorise officers (from this Council or its local authority partners or agents) to issue cautions under the Licensing Act 2003 and the Gambling Act 2005.	Legal Services Manager
125. To certificate films, in consultation with the Chair or Vice Chair of the Licensing Committee.	Legal Services Manager
126. To carry out the duties and responsibilities of the Data Protection Officer	Legal Services Manager
Functions relating to property and assets	
<p>127. The approval of:</p> <p>(a) All non-contentious leases, licences, tenancy, rent reviews for terms up to 125 years at rentals up to £200,000 a year exclusive, where the principle of letting has been approved by the Cabinet or relevant Committee and for rents over £200,000 per annum, where the change in rental is less than 10%, following consultation with the relevant Cabinet Member,</p> <p>(b) The purchase of land required for highway schemes under the Highways Agency Agreement up to £50,000 in value subject to approval by the Cabinet or relevant Committee and the Hampshire County Council, and to the availability of finance.</p> <p>(c) The purchase of land up to £1,000,000 in value, subject to Cabinet or Committee approval having been obtained for the scheme and the availability of finance.</p> <p>(d) Disturbance payments up to £50,000 subject to the scheme having been approved by the Cabinet or appropriate Committee.</p> <p>(e) Home loss payments complying with the provisions of the Land Compensation Act 1973 of 10% of the market value of the property, subject to the statutory minimum and maximum payments current at the time.</p> <p>(f) The granting of easements up to £1,000,000</p>	Lead Asset Manager

SPECIFIC FUNCTION	DELEGATION
<p>in value, where approved by Cabinet or relevant Local Area Committee</p> <p>(g) The sale of residential freehold reversions to the leaseholders.</p> <p>(h) The sale of commercial freehold reversions to the leaseholders up to £1,000,000 where approved by Cabinet.</p> <p>(i) To place property on the market in accordance with Corporate Standards with a view to disposal.</p> <p>(j) To appoint external agents or consultants to provide specialist services in respect of the Council's property portfolio and land, subject to compliance with Financial Procedure Rules and Contract Procedure Rules.</p> <p>(k) To approve, in consultation with the Chief Financial Officer, claims for dilapidations in respect of leasehold interests granted to or from the Council, provided the consideration does not exceed £1,000,000, and provided sufficient finance is available.</p> <p>(l) To authorise, in consultation with the Chief Financial Officer, lease surrenders and/or renewals to Scout or Guide Groups or other community or charitable organisations which include any underlet for any purpose authorised by Section 1 Localism Act at rents less than best consideration where it is proposed to underlet to a nursery provider or similar community use.</p> <p>(m) To approve lettings or lease renewals at less than best consideration where the principle of letting to the organisation has already been approved (by virtue of a previous letting or other appropriate means) or where the Council is obliged to renew a letting by virtue of Landlord or Tenant legislation.</p> <p>(n) Incidental approvals and consents under conveyances, transfers, leases and temporary lettings, to include variations, assignments, surrenders, sub-lettings and Landlords' consent when the consideration for the variation does not exceed £100,000 per annum.</p> <p>(o) The granting of approvals and consents under</p>	

SPECIFIC FUNCTION	DELEGATION
<p>conveyances, leases, agreements and temporary lettings of properties purchased for redevelopment.</p> <p>(p) To manage the Council's investment, social and general purpose property and land assets</p> <p>(q) The acceptance of dedications of land for the improvement or construction of highways on payment of surveyors' fees and any necessary accommodation works</p> <p>(r) The conduct of negotiations for the purchase of properties in mortgage hardship cases and the making of any necessary tenancy arrangements.</p> <p>(s) Non contentious sales up to £1,000,000 where approved in principle by Cabinet</p> <p>(t) Free dedication to the highway authority of small areas of Borough-owned land required for highway purposes in connection with schemes approved by the holding Committee.</p> <p>(u) The submitting of appeals and agreeing proposed assessments in respect of the revaluation of non-domestic property, including reference to the Upper Tribunal in cases of ongoing appeals.</p> <p>(v) The authorising of the service of notices and counter-notices under Part II of the Landlord and Tenant Act 1954 and to determine the contents thereof.</p> <p>(w) The negotiation and agreement of terms for the imposition, modification and conveyances on property titles.</p> <p>(x) The taking of any necessary steps against encroachments on Council owned or managed land.</p>	
<p>128. The acquisition and sale of mobile homes at Grange Park at market value and the development of plots at Grange Park.</p>	<p>Lead Asset Manager</p>
<p>129. The approval of assignment and grant of Grange Park mobile home site agreements at market value.</p>	<p>Lead Asset Manager</p>
<p>130. Authority to make comments on relevant planning applications and Listed Building</p>	<p>Lead Asset Manager</p>

SPECIFIC FUNCTION	DELEGATION
Notifications, as provided for in Appendix 1 of Part II of Standing Orders (Proceedings and Business of the Cabinet and Committees) (see Part 4 - Council and Committee Procedure Rules).	
131. The making of minor changes to the Asset Management Strategy document that do not involve policy and/or financial considerations.	Executive Head of Assets and Project Delivery
Functions relating to Elections	
132. The selection of premises as polling stations. In consultation with Group Leaders and relevant Ward Councillors.	
Miscellaneous Functions	
133. To act as the proper officer for the purposes of the access to information rules, including determination, in consultation with the Leader of the Council, of a response to any representations received about why a Cabinet meeting, or part of a Cabinet meeting, should be held in public following publication of a notice to meet in private.	Monitoring Officer
134. Power to grant dispensations to Councillors in accordance with section 33 of the Localism Act 2011	Monitoring Officer