

General Scheme of Authorisation

10th November 2025



www.havant.gov.uk

Havant
BOROUGH COUNCIL

Contents

1	Introduction to local scheme of authorisation	5
1.1	Designated Officers	5
2	CHIEF EXECUTIVE	7
2.1	Areas of Responsibility:	7
3	CORPORATE DIRECTOR: FINANCE AND RESOURCES	8
3.1	Areas of responsibility	8
3.2	ASSISTANT DIRECTOR, STRATEGY AND PERFORMANCE	8
3.2.1	Civil Emergencies, Emergency Planning and Corporate Health & Safety	8
3.2.2	Performance Management	8
3.2.3	I.T. and Digital Services	8
3.2.4	Policy Management	8
3.3	STRATEGIC COMMISSIONING MANAGER	8
3.3.1	Programme Management	8
3.3.2	Facilities Management	9
3.3.3	Print and Post	9
3.4	CONTRACT MANAGER, REVENUES AND BENEFITS & LAND CHARGES	9
3.4.1	Revenues and Benefits	9
3.4.2	Address Management	10
3.4.3	Local Land Charges	10
4	CORPORATE DIRECTOR, LEGAL and GOVERNANCE	12
4.1	Areas of responsibility	12
4.1.1	Senior Information Risk Owner (SIRO)	12
4.1.2	Council's Community Lottery	12
4.2	ASSISTANT DIRECTOR, PEOPLE AND CULTURE	12
4.2.1	Organisational Development	12
4.3	COMPLIANCE MANAGER AND DPO	12
4.3.1	Regulation of Investigatory Powers Act 2000 (RIPA)	12
4.3.2	Freedom of Information	13
4.3.3	Data Protection	13
4.4	Data Protection Officer	13
4.5	DEMOCRATIC AND ELECTORAL SERVICES MANAGER	13
4.5.1	Democratic Services	13
4.6	COMMUNICATIONS, ENGAGEMENT AND INSIGHT MANAGER	14
4.6.1	Communications and Marketing	14
4.6.2	Research and Insight	14
5	STRATEGIC DIRECTOR, GROWTH AND PLACE	15
5.1	Areas of responsibility	15
5.2	The Civil Engineering & Landscape Manager	15

5.2.1	Areas of responsibilities	15
5.2.2	Third Party Works	15
5.2.3	Land Drainage	15
5.2.4	Management of Havant Borough Council Assets on the Highway	15
5.3	REGENERATION MANAGER	15
5.3.1	Areas of responsibilities:	15
5.3.2	Regeneration & Economy	15
5.3.3	Planning Applications – Property	16
5.4	HEAD OF PROPERTY AND ASSET MANAGEMENT	16
5.4.1	Property	16
5.4.2	Management of land owned by the Council	16
5.4.3	Management of land not owned by the Council	17
5.4.4	Acquisitions of Land and Buildings	17
5.4.5	Compulsory Purchase	17
5.4.6	Disposal of land	18
5.4.7	Assets of Community Value	18
5.4.8	Community Event Road Closures	18
5.5	CONTRACT MANAGER (ENVIRONMENTAL SERVICES)	18
5.5.1	Areas of responsibilities:	18
5.5.2	Specific Responsibilities:	18
5.6	DEVELOPMENT MANAGER	19
5.6.1	Planning Applications	19
5.6.2	Section 106 Agreements/Nutrient Mitigation Scheme	21
5.6.3	Other Matters	21
5.7	PLANNING & ENFORCEMENT TEAM LEADER	21
5.7.1	Planning Enforcement	21
5.8	STRATEGIC PLANNING MANAGER	22
5.8.1	Planning Policy and Urban Design	22
5.8.2	Other matters	23
5.8.3	Trees and High Hedges	24
6	STRATEGIC DIRECTOR, NEIGHBOURHOODS	26
6.1	Area of responsibility	26
6.2	STRATEGIC HOUSING MANAGER	26
6.2.1	Housing Services	26
6.2.2	Housing and Community Regeneration	26
6.3	COMMUNITIES MANAGER	27
6.3.1	Community Services	27
6.3.2	Community Centres	27
6.3.3	Health, Wellbeing and Community Development Work	27
6.3.4	Council Grants	27
6.3.5	Council's Community Lottery	27

6.4	CUSTOMER SERVICES MANAGER	28
6.4.1	Customer Services Manager	28
6.4.2	Customer Services	28
6.5	PREVENTION AND ENFORCEMENT SERVICE MANAGER	28
6.5.1	Parking and Highways	28
6.6	NEIGHBOURHOOD QUALITY OFFICER	28
6.6.1	Enforcement	28
6.6.2	Safeguarding	29
6.6.3	Community Safety	29
6.6.4	Parking and Highways	29
6.6.5	Management of Car Parks	29
6.7	ENVIRONMENTAL HEALTH MANAGER	30
6.7.1	Environmental Health	30
6.7.2	Licensing Functions	31
6.7.3	Gambling Act 2005	32
6.7.4	Applications for other Permits;	33
6.7.5	Street Collections and house to house collections	33
6.7.6	Caravan and Camping Sites	33
6.7.7	Houses in Multiple Occupation	33
6.7.8	Other Applications	33
6.7.9	Enforcement Actions/Notices	34
6.7.10	Miscellaneous	34
7	STRATIGIC DIRECTOR, COASTAL PARTNERSHIPS	36
7.1	Areas of responsibility	36
7.1.1	Third Party Works	36
7.2	HEAD OF COASTAL PARTNERSHIP	36
7.2.1	Coastal	36

1 INTRODUCTION TO LOCAL SCHEME OF AUTHORISATION

The Officer Scheme of Authorisation contained in Section G of Part 2 to the Constitution sets out the ways in which officers of the Council can make decisions and which decisions they have the power to make. The Council operates a “cascade” principle of Authorisation to ensure that decisions are taken at the most appropriate level closest to those who will be affected. The cascade principle means that any officer given powers under the Officer Scheme of Authorisation can further delegate those powers to other officers. The Constitution provides that these further Authorisations shall be set out in a **Local Scheme of Officer Authorisation**.

Subject to the general principles relating to officer Authorisation, and the limitations applying thereto, contained in the Constitution, this Local Scheme sets out the standing Authorisations given to specific officers in defined areas of the Council's service areas.

1.1 DESIGNATED OFFICERS

The Scheme's Designated Officers are:

- Chief Executive
- Corporate Director, Finance and Resources
- Corporate Director, Legal and Governance
- Strategic Director, Growth and Place
- Strategic Director, Neighbourhoods
- Strategic Director, Coastal Partnerships

Note on general principles of Authorisation

Save in respect of any statutory roles that are not capable of Authorisation and to any limitations included within this document, any power conferred on a subordinate officer shall be exercisable by any Designated Officer within their area of responsibility.

All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.

The exercise of a delegated power, duty or function shall:

- a) be in accordance with the Council's policies and criteria;
- b) not amount to a new policy or extension of or amendment to an existing policy unless the officer has specific delegated authority to do so; and
- c) be in accordance with the requirements of the Constitution, including the Financial Procedure Rules and Procurement Procedure Rules and the Authorisations contained therein.

An officer to whom a power, duty or function is delegated may nominate or authorise another officer to exercise that power, duty or function in his/her name, provided that officer reports to or is responsible to the delegator. Such transfer of a power must be in writing and communicated to the Monitoring Officer.

The officer concerned may in any case in lieu of exercising his or her delegated powers refer to the Council, Leader/Cabinet committee or sub-committee for a decision if lawful and so allowed.

Except as otherwise expressly provided either within this document or by resolution of the Council, Leader/Cabinet, committee or sub-committee, the exercise and implementation of any delegated power, duty or function is subject to having the appropriate and necessary budgetary provision in place to take the action in the name of and/or on behalf of the Council.

The Monitoring Officer shall have the power to amend authorisations to reflect reorganisations, changes in job titles and vacancies, where said changes result in redistributing existing authorisations and not the creation of new ones.

Any post specifically referred to below shall be deemed to include any successor post or a post which includes within the job description elements relevant to any particular authorisation, which were also present in the earlier post and shall include anyone acting up or seconded.

All matters of interpretation shall be determined by the Monitoring Officer.

Any decision that is taken in exercise of these powers shall be recorded in writing with reasons why the decision was taken and signed by the officer who made it.

All delegated decisions shall be a matter of public record unless containing exempt information under Schedule 12A to the Local Government Act 1972 and, in respect of executive decisions taken by officers under delegated powers, shall be available for inspection on the Council's website and at the Council's offices (including by access to the Council's website at the Council's offices) in accordance with Regulation 14 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

2 CHIEF EXECUTIVE

2.1 AREAS OF RESPONSIBILITY:

- Head of Paid Service
- Strategic Gold
- Local Government Regeneration and Devolution

3 CORPORATE DIRECTOR: FINANCE AND RESOURCES

3.1 AREAS OF RESPONSIBILITY

- Finance
- Revs and Bens
- Land Charges
- Strategic Commissioning
- Strategy and Performance

3.2 ASSISTANT DIRECTOR, STRATEGY AND PERFORMANCE

3.2.1 *Civil Emergencies, Emergency Planning and Corporate Health & Safety*

The preparation of Civil Emergency Plans for the Council, in consultation with Hampshire County Council and all necessary outside bodies and organisations.

The management of the Business Continuity Plans for the Council and the Corporate Health and Safety support to the organisation to enable them to operate a safe system of work.

3.2.2 *Performance Management*

- a) The provision of such management services as are necessary to enable the proper and efficient operations and administration of Havant Borough Council, including:
- b) Performance management reporting and advice.

3.2.3 *I.T. and Digital Services*

Co-ordination of Information Communications/ Digital strategy, and of all matters related to administration of the Council's arrangements for the provision of Information and Communications Technology Services and associated policies and frameworks within the Council; but excluding final agreement of all Council Policies, Strategies and Plans developed by the service and contracts relating to ICT of a threshold over £50k.

3.2.4 *Policy Management*

The provision and management of the Council's policy development in accordance with relevant requirements (including appropriate decisions of the Council) and including policy research and advice and provision of the annual governance statement.

3.3 STRATEGIC COMMISSIONING MANAGER

3.3.1 *Programme Management*

Responsible for the availability and coordination of corporate project, programme and business analyst resources in line with the Council's corporate strategy aims and objectives.

3.3.2 Facilities Management

The Strategic Programme Manager is delegated the power to discharge all of the Councils functions relating to the provision of the full range of property services appropriate and necessary to enable the proper and efficient operations of HBC to include:

Facilities Management - In undertaking the management of the Councils facilities to provide all necessary items required to ensure the buildings are fit for purpose provided such procurement is within budget and accords with the Council's Financial and Procurement Regulations.

Management of the overall use of the Councils accommodation including partner presence ensuring optimum workspace design and effective use of Council assets.

Lost and Uncollected Property - To take all necessary action in accordance with Section 41 of the Local Government (Miscellaneous Provisions) Act 1982 relating to lost and uncollected property.

3.3.3 Print and Post

The sorting and distribution of post and internal mail, including delivery to external offices;

- a) Distribution - Franking and dispatch of all Council mail, also specialised mailings to handle bulk items, urgent deliveries, enveloping and labelling requirements;
- b) Provision of a print room service to undertake all internal printing requirements

3.4 CONTRACT MANAGER, REVENUES AND BENEFITS & LAND CHARGES

3.4.1 Revenues and Benefits

- a) To increase the levels of summons and liability order costs relating to the recovery of sums due from charge payers or taxpayers, in line with increased costs, from time to time;
- b) To determine entitlement to Council Tax discount in respect of disregarded people and to determine exemption from empty property Council Tax charges in accordance with the regulations and Council Policy;
- c) To represent and appear on behalf of the Council at any legal proceedings in relation to the administration and recovery of, non- domestic rates and Council tax (including Valuation Tribunals), and such authority will be deemed to include any officer of the Revenues and Benefits Service Team appointed for that purpose under section 223 of the Local Government Act 1972;
- d) To write off debts to a maximum of £5,000 per debt without recourse to the Cabinet and/or Council;
- e) To grant hardship relief from non-domestic rates in accordance with the agreed guidelines. Where considered appropriate due to special circumstances, scale of potential job losses or significant budget implications, consult with the Chief Finance Officer and the relevant portfolio holder;
- f) Administer applications for discretionary rate relief, top-up rate relief and rural rate relief in accordance with the Councils agreed guidelines;

- g) To authorise the despatch of Completion Notices relating to new and altered property for the purposes of non-domestic rates and Council tax administration;
- h) To agree discretionary granting of void relief for non-domestic rates on partly occupied property under the provisions of the Local Government Finance Act 1988.
- i) To agree to remit or reduce Council tax or non-domestic rates for sole traders in appropriate cases under the provisions of the Council's Extreme Hardship Scheme;
- j) To appoint contract Enforcement Agents to act for the Council in the collection of non-domestic rates and Council tax where a liability order has been granted by the Magistrates;
- k) To determine claims under the Housing Benefit Scheme and Council Tax Benefit Scheme (including backdated claims) in accordance with the provisions of the Social Security Administration Act 1992 and the Social Security Contributions and Benefits Act 1992; and pay benefit to eligible claimants;
- l) The compilation and maintenance of the Council Tax Register;
- m) The levying, billing, collection and recovery of Council tax and non-domestic rates and connected administrative functions;
- n) To investigate benefit/reduction claims where fraud or abuse is suspected.
- o) To determine the recoverability of Housing Benefit/Council Tax Benefit/Council Tax Reduction overpayments in accordance with the Housing Benefit and Council Tax Benefit Regulations and the Council's agreed Council Tax Support schemes and make decisions on whether to seek recovery of overpayments;
- p) To decide claims and make payments under the Discretionary Housing Payments scheme in accordance with the Discretionary Financial Assistance Regulations 2001 and agreed Council guidelines and procedures;
- q) Initiate a prosecution in respect of any breach of benefit/reduction legislation in consultation with the Monitoring Officer; and
- r) To decide claims for Council Tax Reductions in accordance with Section 13A of the Local Government Finance Act 1992 and the Councils' agreed Council Tax Support schemes, and award reductions to eligible claimants.

3.4.2 Address Management

- a) The making of changes to the Local Land and Property Gazetteer and to the Local Street Gazetteer;
- b) Naming and numbering of new and existing streets and properties in consultation with other relevant authorities
- c) Amendments to names of existing streets within the Borough; and
- d) Setting fees and charges for application to change numbers of properties of streets in the Borough.

3.4.3 Local Land Charges

- a) Maintenance of the Local Land Charges Register; and
- b) Issuing Local Land Charge Search Certificates. In accordance with all statutory and other relevant requirements (including appropriate decisions of the Council)

4 CORPORATE DIRECTOR, LEGAL AND GOVERNANCE

4.1 AREAS OF RESPONSIBILITY

- People and Culture
- Compliance
- Information Governance
- Democratic and Election Services
- Communications

4.1.1 Senior Information Risk Owner (SIRO)

Act as the Council's Senior Information Risk Owner, taking ownership of the Council's information risk policy, acting as an advocate for information risk to the Council's Strategic Leadership Team and providing written advice on the content of the Council's annual governance statement regarding information risk.

4.1.2 Council's Community Lottery

To be one of the two gambling licence holders for the Lottery ensuring any concerns are reported to the Gambling Commission.

4.2 ASSISTANT DIRECTOR, PEOPLE AND CULTURE

4.2.1 Organisational Development

The Assistant Director, People and Culture is authorised to discharge all of the Council's functions relating to the provision of the full range of services appropriate and necessary to enable the proper and efficient operations of the Council to include:

- a) The provision of HR services including recruitment and resourcing, pay, pensions and other terms and conditions of employment, employee relations, conduct and dismissal of staff (and any other matter that is subject to local agreement under the Council's collective agreements with the recognised trade union), internal communications/employee engagement, training and development, change/reorganisation, organisational development (including performance appraisal and performance contracts), health and safety (in relation to Council staff and activities), health and absence management, dignity at work/equality and equal pay.
- b) To make all decisions relating to the Council's duties to inform and consult trade unions and workers under any statute or Council policy or procedure.
- c) To act as the Council's principal advisor on all human resources and employment issues. Develop, implement, monitor and continuously review HR policies and practices which reflect corporate strategy, HR practice, changing requirements and promote a consistent approach.

4.3 COMPLIANCE MANAGER AND DPO

4.3.1 Regulation of Investigatory Powers Act 2000 (RIPA)

Act as the Council's RIPA Senior Responsible Officer (SRO).

4.3.2 Freedom of Information

- a) To ensure all requests made under the Freedom of Information Act (FOI) / Environmental Information Regulations (EIR) are responded to in accordance with the relevant legislation.
- b) To ensure the Council remains up to date with changes in the legislation.
- c) To develop and disseminate corporate policies and procedures in relation to FOI / EIR.
- d) To provide advice to all areas of the Council on FOI / EIR matters.

4.3.3 Data Protection

- a) To handle all Data Subject Access requests and requests for personal data from third parties (e.g. the Police)).
- b) To ensure the Council remains up to date with changes in the legislation
- c) To ensure the Council remains compliant with Data Protection legislation including the designation of a Data Protection Officer
- d) To develop and disseminate corporate policies and procedures in relation to Information Governance and Data Protection.
- e) To provide advice to all areas of the Council relating to Information Governance and Data Protection to ensure its obligations under the Data Protection Act are met.

4.4 DATA PROTECTION OFFICER

The Compliance Manager is authorised to act as the Council's Data Protection Officer.

4.5 DEMOCRATIC AND ELECTORAL SERVICES MANAGER**4.5.1 Democratic Services**

- a) The provision of a Secretariat to meet the statutory requirements for meetings and proceedings of the Council, Cabinet, and its Committees. The provision of secretarial, administrative and office support and training and development services generally to meet the needs of Councillors in performing their roles.
- b) To approve Councillors' attendance at conferences, seminars and training events, subject to the event being relevant to a training and development need or the Councillor's role on the Council.
- c) In respect of the establishment of Licensing Sub-Committees, that the selection of membership for the Sub-Committees be delegated to the Democratic and Electoral Service Manager, in consultation with the Chairman of the Licensing Committee.
- d) In respect of the establishment of Governance or Overview & Scrutiny Committee, that the selection of membership for any Sub-Committees be delegated to the Democratic and Electoral Service Manager, in consultation with the Chairman of the Overview & Scrutiny Committee.

- e) To administer and manage the Council's deputation schemes including delegated powers to refuse an application when the application is received after the period within which an application should be received.
- f) To administer and manage requests to ask questions at Council meetings in accordance with the Council's Standing Order, including the authority to refuse requests, which are defamatory, frivolous, or offensive.
- g) To introduce temporary road closures and other temporary traffic restrictions on the highway in respect of civic events.
- h) Act as the Council's primary point of contact for Town & Parish Councils and Ward Councillors and Communities.

For the avoidance of doubt, all the items delegated above the Democratic and Electoral Service Manager may also be exercised by the Monitoring Officer or Deputy Monitoring Officer.

4.6 COMMUNICATIONS, ENGAGEMENT AND INSIGHT MANAGER

4.6.1 *Communications and Marketing*

The Communications, Engagement and Insight Manager is delegated the power to discharge all of the Council's functions relating to the provision of the full range of services appropriate and necessary to enable the proper and efficient operations of HBC to include:

- a) liaison with the media;
- b) external promotion of Council activities;
- c) co-ordination of internal communications;
- d) production of publications; design services to produce leaflets, documents, newsletters and reports, also exhibition and visual aids work; and
- e) enhance democracy and community development in the area.
- f) authority to instigate agreements with external market research agencies to undertake necessary work relating to the requirements of the Council.
- g) Production of digital design services, including but not limited to procurement and production of websites, social media assets, e-newsletters/bulletins.

4.6.2 *Research and Insight*

- a) Strategic research and insight on internal and external markets to support the management of the council's services, policies, and transformation programmes
- b) Authority to instigate agreements with external market research agencies to undertake necessary work relating to the requirements of the Council

5 STRATEGIC DIRECTOR, GROWTH AND PLACE

5.1 AREAS OF RESPONSIBILITY

- Property and Asset Management
- Regeneration
- Economic Development
- Planning and Climate
- Environmental Services
- CELT

To set the Fees and Charges for Building Control within the Governance arrangements of the Building Control Partnership on an ongoing basis.

5.2 THE CIVIL ENGINEERING & LANDSCAPE MANAGER

5.2.1 Areas of responsibilities

The Civic Engineering & Landscape Manager is authorised the power to discharge all of the Council's functions relating to the provision of the full range of services appropriate and necessary to enable the proper and efficient operations of the Council to include:

5.2.2 Third Party Works

Enter into contracts under which Civil Engineering Landscape Team (CELT), undertake work for third parties up to a value of £250,000 per year.

5.2.3 Land Drainage

The management of all land drainage functions, including the Council's functions under Section 262 of the Public Health Act 1936 Including authorising the Monitoring Officer in relation to:

- i. Service of notices and making of requirements under section 112(1)
- ii. - (4) of The Water Industry Act 1991.
- iii. Service of notice under Section 16(1)(a) of the Land Drainage Act 1991.

5.2.4 Management of Havant Borough Council Assets on the Highway

Responsibility for the proper and general day to day management and maintenance of the councils' assets on Highway Authority land.

5.3 REGENERATION MANAGER

5.3.1 Areas of responsibilities:

The Regeneration Manager is authorised the power to discharge all of the Council's functions relating to the provision of the full range of services appropriate and necessary to enable the proper and efficient operations of the Council to include:

5.3.2 Regeneration & Economy

To drive forward the regeneration and economic growth of the borough in accordance with the agreed strategies.

5.3.3 Planning Applications – Property

The making of applications for deemed planning permission and listed building consent in relation to Council-owned or other land, including:

- a) For permission for development under regulations 3 and 4 of the Town and Country Planning General Regulations 1992 in respect of land owned by the Council.
- b) For permission for development or listed building consent in respect of land not owned by the Council in consultation with the relevant portfolio holder and local ward councillors.

5.4 HEAD OF PROPERTY AND ASSET MANAGEMENT

5.4.1 Property

The Head of Property and Asset Management is responsible for the strategic management of all Council owned land and property, in accordance with Section G, 9.3-9.4 of the constitution.

The Head of Property and Asset Management is authorised to manage and deal with all transactions at market rent or market value, including, but not limited to, new lettings and licences, lease renewals, lease extensions, variations, surrenders, terminations, rent reviews, re-gearings, extinguishment or modification of covenants, claims for compensation, dilapidations (or claims). To include responsibility for the demand and collection of rents, service charges and licence fees.

Where appropriate to include the making of applications for deemed planning permission and listed building consent in relation to Council-owned or other land, including:

- a) For permission for development under regulations 3 and 4 of the Town and Country Planning General Regulations 1992 in respect of land owned by the Council; and
- b) For permission for development or listed building consent in respect of land not owned by the Council in consultation with the relevant portfolio holder and local ward councillor.
- c) The appointment and management of internal and external consultants and contractors for the purpose of undertaking any of the functions and responsibilities of the Property Services Team.

5.4.2 Management of land owned by the Council

Responsibility for the proper and general day to day management and maintenance of the councils' land and buildings. Including where required:

- a) Provision of asset valuations in accordance with the International Financial Reporting Standards.
- b) Provision of valuations for any purpose in connection with the Council's estate.
- c) The assessment and valuation of land for which the Council pays national non-domestic rates, the appeal against rating assessments and the negotiation and agreement of revised rating assessments for any such land.
- d) The provision of valuation services and other property advice to the Council, Cabinet, committees of the Council and officers of the Council, including:
 - iv. General property and valuation advice; and
 - v. Representation of the Council in relation to matters affecting land in courts, tribunals, arbitrations, public inquiries and at quasi-judicial proceedings.
 - vi. The maintenance of the Council's records in relation to land ownership and lettings and in connection with the use and disposition of the Council's property assets.
 - vii. The removal or regularisation of encroachments or the unauthorised occupation or use of Council-owned or leased land.
 - viii. The authorisation of the temporary use of Council-owned land by third parties or organisations, subject to the standard safeguards protecting the Council's interests and prior consultation with the Monitoring Officer.

5.4.3 Management of land not owned by the Council

For land leased or licensed to the Council - To provide on behalf of other council services property management, valuation, and negotiation services in connection with land leased or licensed to the Council, and to negotiate, agree and (where appropriate) instruct solicitors to complete any of the following transactions including:

All transactions relating to the day-to-day management of the land, including, but not limited to, new leases, licences, extensions, variations, surrenders, rent reviews, claims for compensation, dilapidations (or claims) provided that this falls within approved budget provision; and

Where no budget exists, or a budget is insufficient for the purpose of the transaction, all transactions relating to the day-to-day management of land in consultation with the relevant portfolio holder.

5.4.4 Acquisitions of Land and Buildings

Authority to acquire and dispose of land:

Approval exists for acquisitions up to a value of £250,000 where there is existing budgetary provision.

In addition to the above the following approvals are given:

- a) The acquisition of land included within any approved acquisition programme or the principle of the acquisition has been approved by Cabinet and funding within existing budgets is available (no financial limit).

5.4.5 Compulsory Purchase

In the event the council wishes to exercise its compulsory purchase powers cabinet approval would be required regardless of council limit.

The determination of the level of statutory compensation payable and authorisation of the payment or acceptance of compensation in connection with compulsory purchase removal and disturbance and planning blight, including:

- a) Statutory compensation payable by the Council for the loss of land or disturbance payments, including removal expenses fees and costs and home loss payments arising from the Council's exercise or proposed exercise of powers of compulsory purchase or from the service on the Council of a purchase or blight notice; and
- b) Statutory compensation payable to the Council for the loss of its land, or disturbance payments, including removal expenses fees and costs arising from cases where other bodies possessing compulsory purchase powers have exercised or have resolved to exercise those powers, or in cases arising out of the service by the Council of a purchase or blight notice.

All above points to be completed in consultation with the S151 and monitoring officer. The Investment portfolio at East Hampshire Borough council will require additional consultation of the Regeneration and Property Investment Board.

5.4.6 *Disposal of land*

The disposal for best consideration of land where the land is either declared by Cabinet to be surplus to requirements or is included in a planned disposal programme approved by Cabinet.

Disposals include the grant of easements, wayleaves, and rights of way.

5.4.7 *Assets of Community Value*

The power to determine nominations to list land as assets of community value.

5.4.8 *Community Event Road Closures*

To introduce temporary road closures in respect of community events.

5.5 CONTRACT MANAGER (ENVIRONMENTAL SERVICES)

5.5.1 *Areas of responsibilities:*

The Environmental Services Manager is delegated the power to discharge all of the functions in relation to the management of all environmental services in order to enable HBC to properly and efficiently discharge its operations and responsibilities.

5.5.2 *Specific Responsibilities:*

- a) The operation of the agency agreement with Hampshire County Council for verge maintenance.
- b) Collection of refuse and recycling from domestic and commercial premises.
- c) Recycling of all household waste.
- d) Street Cleansing, litter bins, grass cutting including all Council owned land.
- e) Cleansing of Public Conveniences within the Borough.
- f) The provision of recycling banks in locations in order to promote waste reduction.
- g) Agreement of the arrangements for the provision of a customer service centre to handle service requests and complaints.

5.6 DEVELOPMENT MANAGER

5.6.1 *Planning Applications*

The Development Manager is authorised to exercise and discharge all planning functions in accordance with all statutory and other requirements of a Local Planning Authority concerning the control of development and regulation and use of land under the provisions of the Town and Country Planning Acts (including the Town and Country Planning Act 1990, Town and Country Planning (Control of Advertisements) Regulations 1992 and the Planning (Listed Building and Conservation Areas) Act, 1990 and any associated amendments, or related Acts, legislation, regulations and provisions) including the power to:

- a) Accept, administer, process (including requiring the submission of more information), publicise, decline to determine (where the regulations allow), and to determine all applications and consultations submitted to the Council on any planning matter except an application listed at I to V:
 - i. Which is contrary to the provisions of an approved development plan or adopted planning policy approved by the Council, and which is recommended for approval.
 - ii. Submitted by or on behalf of a Councillor (or his/her spouse or partner) or by any member of the Council's staff (or his/her spouse or partner) where any objection has been received. Where no objection received, Authorisation to be agreed in consultation with Chairman of Planning Committee and Cabinet Lead for Place.
 - iii. Which the Strategic Director of Growth and Place considers should be presented to Committee for decision including for example, those developments that in his opinion are particularly controversial, likely to be of significant public interest, or which may have a significant impact on the environment.

- iv. Where, within the application consultation period a local Ward Councillor (or in the absence of a local Ward Councillor the Chairman or Vice Chairman of the Planning Committee) requests in writing to the Development Manager, giving good material planning reasons, that the application be determined by the Planning Committee, and the request is agreed in consultation with the Chairman of the Planning Committee.
- v. Where, within seven days of being notified that it is intended to grant permission for an application, a local Ward Councillor (or in the absence of a local Ward Councillor the Chairman or Vice Chairman of the Planning Committee) requests in writing to the Development Manager, giving good material planning reasons, that the application be determined by the Planning Committee, and the request is agreed in consultation with the Chairman of the Planning Committee.
- b) Administer and determine applications for hazardous substances consent under the Planning (Hazardous Substances) Act 1990, and related powers.
- c) Agree minor amendments to approved schemes where in the opinion of the Development Manager a fresh application is not justified.
- d) Determine all matters submitted pursuant to conditions imposed on planning and other permissions, Section 106 Planning Obligations, and Unilateral Undertakings.
- e) Determine in consultation with the Monitoring Officer, applications for Lawful Development Certificates¹ under Section 191 of the Town and Country Planning Act 1990.
- f) Grant any approval and to respond to any consultation sought under the Town and Country Planning General Permitted Development Order 1995 to include the determination of all applications for prior notification or approval.
- g) In consultation with the Monitoring Officer issue certificates of alternative development under the Land Compensation Act 1961.
- h) Determine the Council's case to be presented at appeals including the decision whether to appoint consultants to act upon the Council's behalf or to submit claims for costs against an appellant.
- i) To respond to consultations from other local planning authorities, Hampshire County Council and other bodies responsible for decision making on planning applications and other development consents.
- j) To give informal advice as to whether consent is required under the Town and Country Planning Acts including making decisions as to whether a breach of planning control has occurred.
- k) To exercise all the Council's functions with respect to 'screening' and 'scoping' opinions under the Town and Country Planning Acts and any relevant regulations made thereunder.
- l) Authorise the carrying out of any consultation where consultation is required in connection with any planning matter.

- m) Undertake Habitats Regulations Assessments on planning applications in line with the Conservation of Habitats and Species Regulations 2017 (and any relevant replacement or temporary regulations)

5.6.2 Section 106 Agreements/Nutrient Mitigation Scheme

The Development Manager is authorised to:

- a) Determine any planning application which has been previously considered by the Planning Committee and where the Committee has decided to grant permission subject to a satisfactory legal agreement being concluded, subject to such legal agreement having been completed.
- b) Agree items of expenditure under S106 Agreements where expenditure is as proposed in the legal agreement [Delegated 21/03/2016]
- c) In consultation with Cabinet Lead for Planning, Environment and Water Quality to enter into legal agreements for third party strategic nutrient neutrality mitigation schemes, following agreement of them from Natural England.

Instruct the Monitoring Officer with respect to:

- a) Any matter (including revocation or modification) related to Section 106 Planning Obligations under the Town and Country Planning Act 1990 including any matter necessary to protect the Council's or public interest in the granting of permission pursuant to either a decision of a Committee or under delegated powers.
- b) Revocation, in consultation with the local Borough Councillor, of any Legal Agreement under Section 52 of the Town and Country Planning Act 1971.
- c) For the avoidance of doubt, the Monitoring Officer may action any instruction received from the Development Manager.

5.6.3 Other Matters

The Development Manager is authorised to:

- a) Take any urgent action after consultation with the local Borough Councillor, or the Chairman or Vice Chairman of the Committee, or the relevant Cabinet Lead;
- b) Instruct the Monitoring Officer to respond to applications to the High Court under Sections 287 and 288 of the Town and Country Planning Act 1990, and in consultation with the Monitoring Officer and the Chairman of the Planning Committee (or the relevant Cabinet Lead), make applications to the High Court under the same sections in respect of decisions by the Secretary of State; and
- c) To submit responses to formal and informal consultations regarding Development Consent Orders.

5.7 PLANNING & ENFORCEMENT TEAM LEADER

5.7.1 Planning Enforcement

The Planning Enforcement Manager is authorised to:

- a) Serve notices for information such as Planning Contravention Notice or a Notice under Section 330 of the Town and Country Planning Act 1990 (as amended) or a Section 171 Notice under the Town and Country Planning Act 1990 (as amended), and Requisitions for Information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976;
- b) Decide to take no further action in respect of any breach of planning control except where the development in question is materially contrary to the policies of an approved development plan or adopted planning policy approved by the Council, or where a local/ Ward Councillor has requested the breach of planning control be referred to a Committee for decision;
- c) Prepare and serve any statutory notice (and withdraw any such notice before it has taken effect) under the Town and Country Planning Acts including breach of condition notices, enforcement notices, special enforcement notices, stop notices, temporary stop notices, listed building enforcement notices, conservation area enforcement notices, section 215 notices and notices under Section 330 of the Town and Country Planning Act 1990 and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 in exercise of the Council's functions as Local Planning Authority.
- d) Prepare and serve a notice under section 23 Local Government (Miscellaneous Provisions) Act 1976 in relation to any dangerous tree.
- e) Take legal proceedings under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- f) Take injunctive proceedings under Section 187B of the Town and Country Planning Act 1990, Section 222 of the Local Government Act 1972, Sections 9 and 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Section 214A of the Town and Country Planning Act 1990 in exercise of the Council's functions.
- g) Prepare and serve Notices under Section 215 and Completion Notices under Section 94 of the Town and Country Planning Act 1990.
- h) Pursue legal proceedings in connection with non-compliance with any statutory notice, breach of planning control, or offence committed under the planning acts and to exercise any other available remedies in connection with the same.
- i) To implement powers for the discontinuance, removal and related enforcement of advertisement displays under the Town and Country Planning Act 1990 and any associated Regulations.
- j) In consultation with the Monitoring Officer make any decision regarding the conduct of ongoing actions or cases relating to any breach of planning control in a court of law.

5.8 STRATEGIC PLANNING MANAGER

5.8.1 Planning Policy and Urban Design

The Strategic Planning Manager is authorised to discharge all of the Council's functions relating to planning policy and urban design to include the provision of planning policy and urban design services including:

- a) Preparation and implementation of statutory development plans and a Community Infrastructure Levy Charging Schedule.
- b) Representing the Council in relevant examinations of those statutory development plans and the Community Infrastructure Levy Charging Schedule.
- c) Represent the Council in responding to consultations on other local authority development plans and appearing at examination
- d) The preparation and publication of evidence base studies and strategies as part of the process of preparing a Local Plan.
- e) Preparation and publication of planning policy information and guidance.
- f) Instruct professional advisors and (in consultation with the Monitoring Officer) Counsel to assist the Council, where it is considered expedient to do so but excluding: the final agreement of statutory development plans developed by the service.
- g) The Strategic Planning Manager is authorised to prepare and adopt Statements of Common Ground (as required by the National Planning Policy Framework (NPPF)) as part of the process of preparing a Local Plan or engaging in the preparation of another local planning authority's local plan, in consultation with the Portfolio Holder.
- h) The Strategic Planning Manager is authorised to undertake all procedural steps required of the local planning authority under The Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012 (and any relevant replacement or temporary regulations) other than the making of the neighbourhood plan.
- i) The preparation of Sustainability Appraisal and Strategic Environmental Assessment in line with the Planning and Compulsory Purchase Act 2004 Environmental Assessment of Plans and Programmes Regulations 2004 2012 (and any relevant replacement or temporary legislation or regulations).
- j) The adoption and publication of the Chichester Harbour Area of Outstanding Beauty/National Landscape Management.
- k) The carrying out of consultation where it is required for any planning matter, following consultation with the Cabinet Lead, other than those instances where the constitution requires the authorisation of the Cabinet.
- l) The Strategic Planning Manager is authorised to adopt design codes for use in local plans or development management decisions.
- m) Undertake Habitats Regulations Assessments on local plans and other planning policy documents in line with the Conservation of Habitats and Species Regulations 2017 (and any relevant replacement or temporary regulations).

5.8.2 Other matters

The Strategic Planning Manager is authorised to:

- a) Respond to consultations from Government departments, Crown Agencies, statutory undertakers, Hampshire County Council and other planning authorities;

- b) Issue a Community Infrastructure Levy Stop Notice under Section 218 of the Planning Act 2008 and The Community Infrastructure Levy Regulations 2010.
- c) Authorise expenditure of Community Infrastructure Levy (CIL) Funds in accordance with adopted policy and the Community Infrastructure Levy Regulations (2010) as amended.
- d) Authorise expenditure of funds under Section 106 of the Town and Country Planning Act (1990) (as amended).
- e) Prepare and update the Local Development Scheme.
- f) To submit responses to formal and informal consultations regarding Development Control Orders.
- g) Issue article four directions restricting the exercise of permitted development.

5.8.3 *Trees and High Hedges*

The Planning Policy Team Manager is authorised to exercise all powers relating to trees and high hedges under the terms of the Town and Country Planning Acts or Part 8 of the Anti- Social Behaviour Act 2003 including:

- a) To make a Tree Preservation Order;
- b) Confirmation of unopposed or opposed Tree Preservation Orders;
- c) Amendment to a Tree Preservation Order to deal with valid objections;
- d) Varying a Tree Preservation Order;
- e) Issuing a decision not to confirm a Tree Preservation Order;
- f) Revoking a Tree Preservation Order; or

- g) Serving Urgent Works Notices under the Planning (Listed Buildings and Conservation Areas) Act 1990 where budgetary provision has already been made.
- h) To determine applications to fell or carry out works to trees that are the subject of a Tree Preservation Order;
- i) To determine Notices of Intent to carry out works to tree within a conservation area;
- j) To authorise the issuing and serving of Tree Replacement Notices;
- k) Exercise the functions set out in the Environment Act 1995 and The Hedgerows Regulations 1997 as they relate to hedgerow protection;
- l) Exercise all the functions of the Council in respect of high hedges under Part 8 of the Anti-Social Behaviour Act 2003 to include:
 - i. Deciding whether to proceed with a complaint relating to high hedges;
 - ii. Determining a complaint on high hedges; or
 - iii. Authorising the serving of a remedial notice in respect of any remedial works that in their opinion are required to be carried out to high hedges.

6 STRATEGIC DIRECTOR, NEIGHBOURHOODS

6.1 AREA OF RESPONSIBILITY

- Housing
- Active Wellbeing, Communities
- Environmental Health
- Prevention and Community Safety
- Customer Services and Complaints

6.2 STRATEGIC HOUSING MANAGER

6.2.1 *Housing Services*

- a) The provision of a full range of housing advice services in accordance with statutory requirements and appropriate decisions of the Council including:
- b) The authority to determine applications from households who may be homeless or threatened with homelessness;
- c) The authority to make arrangements with private landlords, housing associations and other suitable agencies to provide accommodation to homeless households in connection with the Council's statutory duties.
- d) The authority to make nominations to Registered Social Landlords in accordance with Council policies.
- e) The removal and storage of property.
- f) The disposal of uncollected property; and
- g) Other activities relating to housing need.
- h) To undertake periodical reviews of the housing needs of the Borough.
- i) The enabling of development of affordable housing to meet the borough's housing needs.

6.2.2 *Housing and Community Regeneration*

- a) Development of a Homelessness Strategy (statutory requirement and Housing Strategy).
- b) Promotion of a balanced housing market.
- c) Strategic partnership with housing providers.
- d) Development of policies, programmes and partnership working to combat poverty and social exclusion.
- e) Strategic policy and programme liaison with lead organisations and partnership bodies involved in community development, education, health and social welfare.

6.3 COMMUNITIES MANAGER

6.3.1 *Community Services*

To provide financial, technical and professional advice to local and regional community groups.

6.3.2 *Community Centres*

The provision and management of Community Centres in accordance with all relevant requirements (including appropriate decisions of the Council) and including:

- a) Ensure the provision and management of the Council's Community Centres.
- b) The authority to instigate partnership agreements with the relevant bodies in relation to the Council's Community Centres and their effective provision of services in the Community.

6.3.3 *Health, Wellbeing and Community Development Work*

The provision and management of Health, Wellbeing and Community Development work in accordance with all statutory and other relevant requirements (including appropriate decisions of the Council) and including:

The Council's adviser to relevant Partnerships including the authority to determine agreements for the provision of appropriate services in the Borough.

6.3.4 *Council Grants*

The provision and management of Council Grants in accordance with relevant Council policies and requirements and where appropriate, in consultation with the Chief Finance Officer, (including appropriate decisions of the Council) and including:

- a) The payment of annual grants.
- b) The authority to instigate partnership agreements with the relevant bodies in relation to the payment of annual grants.
- c) The authority to terminate partnership agreements with the relevant bodies in consultation with the relevant Cabinet lead.
- d) To sign service level agreements and other agreements with voluntary sector organisations and other statutory agencies on behalf of the Council, as appropriate.
- e) Strategic policy and programme liaison with lead organisations and partnership bodies involved in community development, education, health and social welfare.
- f) To suspend payment of grant awards to partnership funding organisations in appropriate circumstances prior to a monitoring report being presented to the Cabinet HBC.

6.3.5 *Council's Community Lottery*

To be the gambling licence holder for the Lottery ensuring any concerns are reported to the Gambling Commission.

6.4 CUSTOMER SERVICES MANAGER

6.4.1 *Customer Services Manager*

The Customer Services Manager is authorised power to discharge all of the Council's functions relating to the administration in regard to all matters concerning Customer Services.

6.4.2 *Customer Services*

The co-ordination of customer care initiatives and provision of customer service centre arrangements, including:

- a) Customer services function for the Council/Borough and relevant partners, including switchboard and reception functions and Information Offices; and
- b) Complaints management.

6.5 PREVENTION AND ENFORCEMENT SERVICE MANAGER

6.5.1 *Parking and Highways*

Respond on behalf of the Borough to all Traffic Regulation Order Consultations from Hampshire County Council and the Department of Transport, after consultation with the local Councillor.

6.6 NEIGHBOURHOOD QUALITY OFFICER

6.6.1 *Enforcement*

The Neighbourhood Quality Officer is authorised to discharge all of the functions relating to the provision of neighbourhood quality, and necessary to enable the proper and efficient operations of the Council to include:

- a) Design and implementation of environmental enhancement schemes.
- b) Provision of environmental enhancement advice.
- c) Powers under the Proceeds of Crime Act 2002.
- d) Clean Neighbourhoods and Environment Act 2005.
- e) To authorise officers to act under the provisions of the Clean Neighbourhoods and Environment Act 2005;
- f) To issue Litter Abatement Notices, Litter Clearing Notices, and Street Litter Control Notices;
- g) To issue the following fixed penalty notices for Nuisance Parking, Litter, Street Litter Control, Litter clearing, Failure to produce waste transfer note, Failure to produce waste carriers licence, Offences under Dog Control Orders, Failure to nominate Key holder or to notify Local Authority in writing of nominated Key holders details; and

- h) Management of abandoned and unwanted end of life vehicles.
- i) Refuse Disposal (Amenity) Act 1978
- j) To issue fixed penalty notices for, and the management and disposal of, abandoned vehicles. Offences in relation to abandoned vehicles.

6.6.2 Safeguarding

- a) Act as the Council's Corporate Lead in terms of safeguarding, ensuring the council completes the S11 Audit and that an appropriate training programme is in place for all staff and Councillors.
- b) Attend any Domestic Homicide reviews or Safeguarding as required.
- c) Development of a Safeguarding Policy which is regularly reviewed and updated

6.6.3 Community Safety

The provision and management of Community Safety functions in accordance with all statutory and other relevant requirements (including appropriate decisions of the Council) including:

- a) After consultation with the relevant bodies under the Crime and Disorder Act 1998 and in consultation with the Monitoring Officer, to authorise applications, in accordance with the agreed protocol, for anti-social behaviour orders to the Magistrates' Court under the Act.
- b) The provision of an annual Strategic Assessment leading to the development of an annually reviewed Community Safety Plan for the Borough.
- c) Authority as the Council's adviser to ensure appropriate provision and management of the Community Safety Partnership for the Borough.
- d) The authority to ensure the effective provision and management of CCTV operations in the Borough.
- e) Authorised to act under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 in so far as it relates to the protection of buildings.

CIVIL ENFORCEMENT OFFICERS

6.6.4 Parking and Highways

- a) The operation of civil parking enforcement pursuant to agency arrangements, including the issue of Penalty Charge Notices, under the Traffic Management Act 2004.

6.6.5 Management of Car Parks

- a) The operation and management of off-street parking places in the ownership or under the control of the Council except for the setting of charges.
- b) To be authorised to waive Penalty Charge Notices in appropriate cases

6.7 ENVIRONMENTAL HEALTH MANAGER

6.7.1 *Environmental Health*

To exercise all powers for the discharge of the Council functions relating to Environmental Health legislation, as amended from time to time except so far as these matters are reserved for Council, Cabinet or Committees and in particular relating to:

- a) Statutory nuisances.
- b) Air quality, water quality (recreational and drinking) and pollution control.
- c) Noise control.
- d) Contaminated land.
- e) The health safety and welfare of animals.
- f) Stray dogs, dangerous dogs and dog fouling.
- g) Microchipping of dogs and cats
- h) The control of vermin and other pests.
- i) Prevention and control of notifiable infectious diseases.
- j) The importation, distribution, production and sale of safe food.
- k) Health, safety and welfare of people affected by work activities.
- l) Controls on smoking in public places.
- m) Addressing hazards in housing.
- n) Provision of grants and loans for the adaptation, repair and improvement of houses
- o) Houses in multiple occupation.
- p) Empty homes.
- q) Mobile homes caravan and camping sites.
- r) Licensing functions in respect of the supply of alcohol, regulated entertainment and supply of late night refreshment.
- s) Licensing of Hackney Carriages and Private Hire vehicles, drivers and private hire vehicle operators.
- t) Licensing of Sex Shops and Cinemas

- u) Sexual Entertainment Venues.
- v) Street Collections.
- w) House to House Collections.
- x) Licensing functions in respect of gambling.
- y) Licensing in respect of animals.
- z) Anti-social behaviour – Anti Social Behaviour, Crime and Policing Act 2014.
- aa) Welfare burials and exhumations;
- bb) Cemeteries and administration of burials;
- cc) Sanitary conveniences at places of entertainment etc;
- dd) Sunday Trading;
- ee) Health Education and development;
- ff) Cinemas;
- gg) Licensing of a facility (tables & chairs) on the highway;
- hh) The Control of Horses Act 2015;
- ii) Environmental Act 1995;
- jj) To engage the services of authorised veterinary practitioners to provide advice and other assistance in respect of the Council's statutory functions relating to animals;
- kk) To appoint, a Proper Officer for provisions relating to the control of infectious diseases for the purposes of Section 35 of the Public Health (Control of Disease) Act 1984; and
- ll) To appoint a public analyst.

6.7.2 *Licensing Functions*

To administer the processes under the Licensing Act 2003;

To determine the following matters under the Licensing Act 2003 including the imposition of appropriate conditions on Licences:

- a) Applications for Personal Licences – if no objection made;
- b) Applications for Premises Licences/Club Premises Certificates – if no relevant representation made;
- c) Applications for Provisional Statements – if no relevant representation made;
- d) Applications to vary Premises Licences/Club Premises Certificates – if no relevant representation made;
- e) Applications to vary Designated Premises Supervisor – all cases unless there is a Police objection;
- f) Request to be removed as Designated Premises Supervisor – all cases;
- g) Applications for transfer of Premises Licences – all cases unless there is a Police objection;
- h) Applications for interim authorities – all cases unless there is a Police objection;
- i) Decision on whether a representation is irrelevant, frivolous or vexatious – all cases;

- j) Applications to grant gaming machine permits for no more than two gaming machines – all cases;
- k) Decision on whether to consult other responsible authorities on minor variation applications – all cases;
- l) Determination of minor variation applications – all cases;
- m) Application by holder of a community premises licence to disapply the requirement for a designated premises supervisor; and
- n) In circumstances where the Magistrates' Court has determined the licence on appeal
- o) To make representations in defending all appeals to the Magistrates Court against the decisions of the Licensing Sub Committees but he or his representative in consultation with the Monitoring Officer, and if practicable the Chairman or another Member of the relevant Sub-Committee, may mediate Sub-Committee hearing determinations where proposed changes are wholly of a minor or legally technical nature;
- p) To make representations as the Environmental Health and Licensing responsible authority.
- q) Hackney Carriage and Private Hire Vehicle, Driver and Private Hire Vehicle Operator Licences
- r) Determine applications for licences including the imposition of appropriate conditions, renewals, variations and transfers and the power to suspend and revoke licences and to take any other action delegated by the Licensing Committee;
- s) Decisions as to the appointment and revocation of hackney carriage stands and the number of vehicles thereon (Monitoring Officer)
- t) Respond to Goods Vehicle Operator Licence applications (including presenting evidence at any subsequent Inquiry);

6.7.3 *Gambling Act 2005*

To administer the processes under the Gambling Act 2005 including:

- a) To determine the following matters under the Gambling Act 2005 including the imposition of appropriate conditions on Licences:
- b) Application for Premises Licence – Where no representations received/representations have been withdrawn.
- c) Application for a variation to a Licence – Where no representations received/representations have been withdrawn.
- d) Application for a transfer of a Licence – Where no representations received/representations have been withdrawn.
- e) Application for Provisional Statement – Where no representations received/representations have been withdrawn.

- f) Application for Club Gaming/Club Machine Permits – Where no objections made/objections have been withdrawn.
- g) Small society lotteries

6.7.4 Applications for other Permits;

- a) Cancellation of licensed premises Gaming Machine Permits.
- b) Consideration of Temporary Event Notices.
- c) Animal Licences (Zoos, and establishments for horse riding, animal boarding, dog breeding, dangerous wild animals, and pet shops)
- d) To determine applications for licences including the imposition of appropriate conditions, renewal, transfer, alteration and variation of licenses;
- e) Sex establishments.
- f) To determine applications for grant and renewal of a licence including the imposition of appropriate conditions – where no objections are received.
- g) To determine applications to transfer a licence – where no objections are received.

6.7.5 Street Collections and house to house collections

To determine applications to grant or refuse in line with Council's Street and House to House regulations.

6.7.6 Caravan and Camping Sites

To determine applications including the imposition of appropriate conditions for site licences;

6.7.7 Houses in Multiple Occupation

To determine applications including the imposition of appropriate conditions for licences;

6.7.8 Other Applications

To make decisions on applications for, and renewal, variation or transfer of, registrations, permits, authorisations, orders, approvals, certificates or designation orders and housing grants or loans. In particular to include:

- a) Premises for sale, storage, preparation or manufacture of food;
- b) Food export certificates and deferred port health inspection of imported foods;
- c) Skin piercing activities;
- d) Chimney heights and furnaces;
- e) Processes prescribed for pollution control;

- f) Loudspeakers in the street; and
- g) Prior consent for noise control on construction sites;

6.7.9 Enforcement Actions/Notices

- a) The Environmental Health Manager may serve warnings and notices (including fixed penalty notices), orders and to take any other action, including, the exercise of default powers and use of emergency powers in pursuance of any Environmental Health statutory provisions. This includes action relating to:
 - b) The maintenance, repair and/or cleansing of defective, stopped up, leaking or overflowing drainage systems, water closets or soil pipes;
 - c) Filthy or verminous premises, articles or persons;
 - d) Nuisances, drainage of premises and water supplies;
 - e) Control of noise, contaminated land, air pollution, water quality (drinking or recreational) and other forms of pollution;
 - f) Works relating to unoccupied buildings under Sections 29-32 of the Local Government (Miscellaneous Provisions) Act 1982;
 - g) Section 76 of the Building Act 1984 (defective premises);
 - h) Pest Control;
 - i) Dog Control;
 - j) Protection of animal welfare;
 - k) Food safety and food hygiene;
 - l) The control of infectious diseases;
 - m) Unsafe housing conditions;
 - n) Houses in multiple occupation;
 - o) Control of smoking in public places;
 - p) Empty Dwelling Management Orders – Section 133 or 136 Housing Act 2004; and
 - q) Anti-Social Behaviour Act in response to noise nuisance cases. Local Government (Misc. Prov) Act 1976 S20 & 21.
- r) Actions, duties and powers relating to relevant functions under the Health and Safety at Work etc. Act 1974 and regulations made thereunder.

6.7.10 Miscellaneous

- a) Agree transfers of enforcement responsibilities under the Health and Safety (Enforcing Authority) Regulations 1989, as amended from time to time;

- b) Recover costs incurred in exercising work in default powers as a civil debt or by putting a legal charge on the premises in consultation with Legal Services;
- c) Consultation with the Monitoring Officer, to authorise the institution of legal proceedings (whether civil or criminal) in respect of any matter relating to the service;
- d) Waive (or refund) any fees or charges in appropriate circumstances, except the repayment of grants upon a breach of grant conditions;
- e) Enter into contracts with third parties to deliver pest control and associated services;
- f) Make designation of Dog Control Orders; and
- g) Exercise powers for the re-homing or destruction of seized dogs.

7 STRATEGIC DIRECTOR, COASTAL PARTNERSHIPS

7.1 AREA OF RESPONSIBILITY

- Coastal Partners
- Client and Engineering Services
- Capital Programme Delivery Service
- Policy, Environment and Research
- Assurance

7.1.1 *Third Party Works*

The Strategic Director, Coastal Partnerships is delegated the power to:

- a) enter into contracts under which Coastal Partners in compliance with the Coastal Service's Business Development Gateway process, undertake work for third parties up to an income value of £100,000 per year in compliance with the Coastal Partners Business Development Gateway.
- b) to enter into contracts, in consultation with the Cabinet Lead and Section 151 Officer, under which the Coastal Partners, in compliance with the Coastal Service's Business Development Gateway process, undertake work for third parties over a value of up to £100,000 per year up to a limit of £250,000.

7.2 HEAD OF COASTAL PARTNERSHIP

7.2.1 *Coastal*

The Strategic Director, Coastal Partnerships is authorised to discharge all of Havant Borough Council's functions relating to coastal defence to include:

- a) The management and maintenance of coastal defences within and affecting the Borough of Havant.
- b) The appointment and management consultants and contractors for the purpose of undertaking any of the functions and responsibilities of the Havant BC element of the Coastal Defence Partnership Team.
- c) The making of applications for deemed planning permission in relation to Havant Borough Council owned or other land.

