

NOTICE OF MEETING

Meeting: CABINET

Date and Time: WEDNESDAY, 5 AUGUST 2015, AT 10.00 AM*

Place: COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Jan Debnam
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PUBLIC PARTICIPATION:

***Members of the public may speak in accordance with the Council's public participation scheme:**

- (a) immediately before the meeting starts, on items within the Cabinet's terms of reference which are not on the public agenda; and/or**
 - (b) on individual items on the public agenda, when the Chairman calls that item.**
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.**

Dave Yates
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meetings held on 18 May and 3 June 2015 as correct records.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To note any issues raised during the public participation period.

4. DEVOLUTION PROPOSALS FOR WIDER HAMPSHIRE - DEVELOPING PROPOSALS FOR DEVOLVED POWERS AND RESPONSIBILITIES (Pages 1 - 4)

To note the action taken to develop proposals to seek devolved powers from central government for the wider Hampshire area.

5. A PARTNERSHIP PLAN FOR THE NATIONAL PARK AUTHORITY (Pages 5 - 8)

To recommend that that the National Park Authority's Partnership Plan is endorsed by the Council.

6. FINANCIAL MONITORING REPORT - FORECAST OUTTURN BASED ON PERFORMANCE TO END OF JUNE 2015 (Pages 9 - 12)

To note and confirm the current budget position, including the additional expenditure items that have been identified.

7. APPOINTMENT TO OUTSIDE BODIES

To appoint 2 Members to serve on each of the partnership boards for Priestlands and Ringwood Schools and Health and Leisure Centres.

8. DELEGATION OF POWERS TO OFFICERS (Pages 13 - 30)

To consider amending the scheme of delegation of powers to officers to take account of recent staffing changes.

To:

Councillors

Councillors

Mrs S V Beeton
J E Binns
Mrs J L Cleary

E J Heron (Vice-Chairman)
J D Heron
B Rickman (Chairman)

DEVOLUTION TO THE WIDER HAMPSHIRE – DEVELOPING PROPOSALS FOR DEVOLVED POWERS AND RESPONSIBILITIES

1. INTRODUCTION

- 1.1 With the return of a majority Conservative Government, there is a political commitment to further devolution, based on the model of a Combined Authority, but with much scope for local flexibility. This report outlines the discussion which has taken place across Hampshire, Southampton, Portsmouth and the Isle of Wight, and notes the work being undertaken with other local authorities to develop a model for devolution which meets our needs as well as the aims of Government.

2. BACKGROUND

- 2.1 Following the Scottish Independence referendum, English devolution became a significant issue and the importance of this issue increased during the General Election campaign. The "Manchester Deal" signalled what was possible, in terms of devolution to local areas, and following the General Election the new Secretary of State has signalled his willingness to receive devolution proposals from local areas across the country.
- 2.2 It is worth stressing that the proposals should form the basis of a deal between local areas and Central Government. This means that as well as seeking devolved responsibilities and powers from central government there is a need to provide something back to central government as part of a deal. Any proposal would be about bringing new powers and responsibilities to the wider Hampshire area but we will be expected to deliver appropriate governance arrangements and help achieve government priorities on issues such as delivering new houses.
- 2.3 Part 6 of the Local Democracy, Economic Development & Construction Act 2009 contains powers which enable the Secretary of State to make an order establishing a combined authority for an area which meets certain specified conditions. A combined authority is a corporate body which enables local authorities to work jointly to deliver improvements in economic development, regeneration and transport across a functional economic area. The Secretary of State has to be satisfied that the creation of the combined authority will improve the efficiency and effectiveness of transport and economic development in the area. It is worth stressing that a Combined Authority is not the creation of a new super authority which takes over all the functions and structures of the authority within that area.
- 2.4 The government has indicated that it would welcome devolution proposals that include the development of a combined authority because they believe that these are appropriate governance structures to undertake a greater set of functions within their local area. However, it would be possible to negotiate alternative governance models that met the requirement of government to have binding decisions made.

- 2.5 The Cities and Local Government Devolution Bill was introduced in the House of Lords on 28 May 2015. This signals the Government's commitment to devolution. This Bill proposes amongst other things that:
- There can be an elected mayor for a combined authority area who would exercise certain powers and chair the authority
 - An elected mayor for a combined authority area can undertake the role of the Police and Crime Commissioner for that area
 - The current statutory limitations on the functions of a combined authority (namely economic development, regeneration and transport) be removed
- 2.6 Whilst the Government have made it clear that City areas seeking devolution deals will be expected to agree to the creation of an Elected Mayor, it is currently thought that there will be no such requirement for devolution deals for the type of proposal which is being contemplated for the wider Hampshire area. Certainly the Cornwall proposal contains no such commitment and advice has been given that it is unlikely that such a stipulation would be made for the wider Hampshire area.
- 2.7 The area covered by the Hampshire and Isle of Wight Local Government Association (HIOWLGA) is complex in governance terms, with one County, eleven District Councils, two Unitary Cities and the Isle of Wight – a unitary County Council. There is, however, a good track record of joint working within this area and the area includes exemplary partnerships such as the Partnership for Urban South Hampshire (PUSH) and many examples of our local Councils working jointly with colleagues in other parts of the public and private sectors. There has been much discussion within the HIOWLGA area about developing a model with a suitable governance structure as the basis for a devolution proposal to present to Government.
- 2.8 It is worth emphasising that whilst much of the discussion so far has been about the structure that we would wish to present to government, our actual submitted proposal needs to have a focus on:
- What it is we want to achieve
 - What we want devolved
 - Why this will help
 - What problems this will sort out for Central Government. These problems are likely to be around, for example, using public resources more efficiently and providing more housing within the area

3. DEVELOPING A PROPOSAL FOR A HAMPSHIRE & ISLE OF WIGHT COMBINED AUTHORITY

- 3.1 There is no doubt that the Government's commitment to devolution offers an opportunity for the HIOWLGA Councils to gain greater local control over services and, potentially, devolved budgets in a number of key areas from Central Government. The Cities & Local Government Devolution Bill outlines a menu of options for devolution. There does appear to be a good deal of flexibility and local choice in the governance model brought forward, and the devolution package sought. But it is crucial that any proposal put to Government is supported by all councils in the area.

- 3.2 In response to this opportunity, the HIOWLGA Leaders have recently agreed in principle to developing a proposal to create a new governance structure that will create a devolved administration that covers the boundaries of Hampshire County Council (and the district councils within that area), Southampton City Council, Portsmouth City Council and the Isle of Wight Council. The details of any governance arrangements will be subject to discussion and negotiation locally and would need to be agreed with local partners (e.g. LEPs) and with Central Government.
- 3.3 As stressed earlier in this report, it will be important that our proposal concentrates on the policy issues that we would wish to see devolved and why this will be better for local people whilst also helping Central Government deliver their priorities. To this end there are a broad range of matters which may be included in the “ask” we make of Government and the HIOWLGA Leaders discussed, amongst other things:
- Local control over funding for skills, post-sixteen education, apprenticeships and lifelong learning;
 - More local control over national infrastructure spending on transport and housing;
 - A HIOWLGA wide “Better Care Fund” to better integrate health and social care across local government and the NHS;
 - Freedom to borrow against the forecast proceeds of local growth (to support enabling infrastructure);
 - A comprehensive public sector land bank, making surplus NHS and MOD land available for housing;
 - Ability to use public procurement and national business support budgets to support local business growth; and
 - Greater retention of growth in business rates.
- 3.4 Perhaps as important as the opportunities for devolution are the wider discussions surrounding a new governance structure and what that might offer HIOWLGA Councils to explore opportunities for closer working, shared service or service integration. All councils face the challenges posed by the ongoing pressures on budgets and, whilst there is a good record for sharing to drive efficiencies, we all need to recognise we could do more. Developing further our partnerships through a new governance arrangement could help reinvigorate that work.
- 3.5 There is already a rich mix of partnerships across the HIOWLGA area, and the formal governance structures arising from a new proposal could provide an umbrella for those partnerships to grow and develop. Thus, less formal joint working between clusters of authorities or bi-lateral relationships between councils should be encouraged alongside the formal governance structures set up as part of the devolved administration.
- 3.6 A central feature of HIOWLGA has been its willingness to work alongside town and parish councils and other non-council partners including: Hampshire Police, the voluntary and community sector, the business community and the Armed Forces. It is clear that Leaders do not want to see any new governance structure lead to the loss of these relationships. As they seek to develop an appropriate local response to the devolution agenda they will not want to lose those links.

4. CURRENT STATE OF PLAY

- 4.1 As circulated to all Councillors, a letter was sent on 25 June from all Hampshire Leaders to Greg Clark, the Secretary of State at the Department of Communities and Local Government indicating in principle the wish of all the authorities to develop proposals for a Combined Authority.
- 4.2 Further work has been undertaken during July with a view to submitting more detailed proposals by the end of the month. The Leader and Chief Executive will update Cabinet on what has emerged. The intention will be to have a full discussion on any proposals which have emerged at the Council meeting on 7 September.

5. PORTFOLIO COMMENTS

- 5.1 I am grateful to the Deputy Leader for representing this Council in these early discussions to develop this proposal.

6. RECOMMENDATIONS

- 6.1 That Cabinet notes the action taken so far to develop proposals for a Combined Authority for the Wider Hampshire, and the intention to bring forward proposals for discussion by Full Council in September.

For further information contact:

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Background Papers:

None

CABINET - 5 AUGUST 2015

PORTFOLIO – LEADER/ALL

A PARTNERSHIP PLAN FOR THE NEW FOREST NATIONAL PARK

1. INTRODUCTION

- 1.1 The Partnership Plan is designed as an update of the 2010 National Park Management Plan and focuses primarily on a series of priority actions for the Park from 2015 to 2020. The final draft plan can be viewed by following this link:
[NFNPA 482 15 Annex 1 Management Plan](#)
- 1.2 Unlike the 2010 Plan, this update has been produced as a joint plan by a partnership group comprising many of the statutory bodies in the Forest, including New Forest District Council. It is therefore not just a plan for the Park Authority, and as such marks a significant step forward in achieving ownership and commitment from key local and regional organisations.
- 1.3 A number of non-statutory organisations are also happy to lead on specific actions, and a total of 27 organisations are now currently involved in delivering the Plan.
- 1.4 The partnership group was involved in guiding the overall structure and text of the draft, and the approach to consultation, through a series of meetings and discussion sessions over the last two years.

2. PUBLIC CONSULTATION

- 2.1 A 'Call for Views' consultation took place between 20 October and 19 December 2014. There were 79 responses to the consultation which generally supported the approach of the document and its emphasis on practical projects.
- 2.2 The main issue arising related to the text concerning large-scale cycle events. Many respondents wished to see a more positive approach to cycling in general, a broader look at large-scale recreational events and more emphasis on sustainable transport. These, and other suggestions for improving the Plan, led to a number of changes being incorporated into a revised draft.
- 2.3 Consultation on the revised draft took place from 11 May to 22 June 2015. More than 300 organisations and individuals were notified, including all those who responded to the initial draft. Of these, only 34 organisations and individuals wished to make comments on the Plan.
- 2.4 No particular issue dominated the responses and, unusually, a considerable number of the comments specifically supported the Plan or particular sections or actions within it. Overall those responding felt it was an improvement on the first draft.
- 2.5 A list of the organisations that have responded to the two consultations is shown in Appendix 1.

3. NEXT STEPS

- 3.1 This is the final draft as presented to the National Park Authority Meeting on 16 July. There were no substantive changes made.
- 3.2 New Forest District Council is being asked to endorse the document formally, along with the other statutory bodies on the Partnership Group, including Hampshire County Council, Test Valley Council, Wiltshire Council and the Verderers.
- 3.3 The final design work for publication will show that the Plan has been jointly produced. It will be officially launched later this year.

4. PORTFOLIO COMMENTS

- 4.1 I welcome the developing partnership approach adopted in this Plan.

5. RECOMMENDATION

- 5.1 That Cabinet recommend to the Council that the Partnership Plan for the New Forest National Park be endorsed.

For further information contact:

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Background Papers:

The Partnership Plan for
the New Forest National Park
Authority.

Appendix 1 List of organisations responding to the consultations

Boldre Parish Council
British Cycling
Christchurch and East Dorset Councils
Country Land and Business Association
Cranborne Chase Area of Outstanding Natural Beauty
CTC Wessex Cycling
Cycle New Forest
Dorset County Council
Fawley Parish Council
Friends of Brockenhurst
Godshill Parish Council
Hampshire County Council
Hampshire & Isle of Wight Wildlife Trust
Historic England
Hyde Parish Council
Keyhaven Forum
Meyrick Estate Management Ltd
Milford-on-Sea Parish Council
Minstead Parish Council
National Farmers Union
New Forest Access Forum
New Forest Association
New Forest Business Partnership
New Forest Commoners Defence Association
New Forest District Council
New Forest Equestrian Association
New Forest Transition
Redlynch Parish Council
Ringwood Town Council
RSPB
Solent Protection
Sway Parish Council
Test Valley Borough Council
UK Youth
Verderers of the New Forest
Whiteparish Parish Council
Woodgreen Parish Council

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FINANCIAL MONITORING REPORT – FORECAST OUTTURN (BASED ON PERFORMANCE TO END OF JUNE 2015)

1. INTRODUCTION

- 1.1 This report monitors financial performance for the first 3 months of 2015/16 and any potential outturn implications on a Portfolio and Committee basis.

2. BACKGROUND

- 2.1 The Council's financial strategy of a continuous review of activities and services to identify opportunities for savings in expenditure alongside opportunities to generate income has been successful in addressing the significant reductions in government funding whilst at the same time maintaining key service levels. Budget monitoring reports form an important part of this process and the ongoing development of the Medium Term Financial Plan (MTFP).

3. GENERAL FUND OUTTURN PROJECTION

- 3.1 A General Fund budget of **£18.327m** for 2015/16 was agreed by Council in February 2015.
- 3.2 This report identifies net positive Portfolio budget variations of £50k (paragraph 3.5). In addition, the report identifies proposed new additional Asset expenditure of £75k (paragraph 3.6), together with rephased expenditure of £1.243m from 2014/15 (paragraph 3.4) that will be funded from reserves. The General Fund current estimated outturn is now set at **£19.595m**. The table below provides an overview of the variations and full details are provided in sections 3.4 to 3.6.

GENERAL FUND VARIATIONS	
	£000
Portfolio budget variation (3.5)	50
Supported by Planned Use of Reserves	
Rephasings Brought Forward (3.4)	-1,243
Additional AMG, Equipment & ICT Projects (3.6)	-75

(+ = improvement in the budget position / - = deterioration in the budget position)

3.3 IMPACT OF 2014/15 OUTTURN

A review of the 2014/15 outturn is currently being undertaken. Any ongoing financial implications resulting from this review will be reported as part of the next Financial Monitoring report.

3.4 REPHASINGS

Asset Management Group - £319k

- £47k (Environment) rescheduling of work in respect of coastal steps due to beach huts issues and to Hordle Cliff Path
- £14k (Environment) of Public Conveniences expenditure at Winsor Road and Hythe continuing into 2015/16.
- £137k (F&E) in respect of rescheduled work relating principally to ATC committee rooms audio and visual work, Marsh Lane Depot work and expenditure relating to Unit 8, Hardley Industrial Estate.
- £121k (Health and Leisure) rephasings from 2014/15 of AMG schemes respect of the following:
 - New Milton HLC £ 16k
 - Ringwood HLC £ 72k
 - Open Space £ 33k

ICT Programme - £284k

- £284k rephasing of ICT investment now scheduled for 2015/16

Minor Vehicles & Equipment - £43k

- £43k rephasing of minor vehicles and equipment budgets to 2015/16.
 - HLC equipment replacement £ 34k
 - Grounds Maintenance minor kit £ 9k(Total Grounds Maintenance amount is £26k, but £17k of this is allocated to the HRA – see 5.1)

Environment Portfolio - £246k

- £145k rephasing of kerbside glass collection expenditure
- £80k rephasing of coast protection expenditure as shingle replacement has been delayed at Milford on Sea due to beach huts issues.
- £21k rephasing of already received recycling reward scheme grant to fund the shortfall between the estimated costs of the recycling reward scheme of £155k in 2015/16 compared to new grant funding of £134k in 2015/16.

Planning & Transportation Portfolio - £200k

- £190k rephasing of car park meter replacement programme
- £10k rephasing of Neighbourhood Plan grant (NPG) received.

Health & Leisure Portfolio - £151k

- £151k rephasing of the 2014/15 Community Grants budget to 2015/16.

3.5 PORTFOLIO BUDGET MONITORING TO JULY 2015

Finance & Efficiency Portfolio - £62k

- £42k annual insurance premium savings were reported to Audit Committee on 26 June, resulting from the collaborative Hampshire Insurance Forum procurement of this service. Broken down over the constituent parts of the contract the £42k net saving splits into a £20k increase of costs against budget for the HRA and a £62k reduction for the General Fund.

Environment - £12k

- World War 2 former sea defence metalwork - £12,000 additional expenditure for the removal of World War 2 metal defences. This metalwork, which has been identified below the waterline at Hordle Cliff, has the potential to cause injury to beach users if it is not removed.

3.6 AMG, EQUIPMENT AND ICT PROJECTS

Listed below are specific projects with additional costs totalling £75k that have been reviewed by the Asset Management Group:

- £25k has been allocated to demolish the Lyndhurst public conveniences old block and the creation of an open space since the original budget for 2015/16 was set.
- £28k is required to address additional costs that have arisen as part of the demolition of Unit 8 at Hardley Industrial Estate, principally due to asbestos removal work.
- £22k additional funding to carry out essential works to a collapsed culvert on Council owned land at Falconwood Close, Fordingbridge.

4. CAPITAL EXPENDITURE (General Fund and Housing Revenue Account)

4.1 The Capital Programme agreed in February amounted to **£18.516m**. This is now increased by rephasings (£2.521m) to a revised capital budget of **£21.037m**.

4.2 The detailed reasons for the variations are:

REPHASINGS

Environment:

- | | |
|--|--------|
| • Procurement of Land / Beaulieu cemetery work (Cemeteries) | £ 310k |
| • Beach Hut Works | -£ 3k |
| • Coast Protection (delays in implementation of various schemes) | £ 67k |

Finance & Efficiency:

- | | |
|--|--------|
| • Rephasing of vehicle & plant investment to 2015/16 | £ 306k |
| • Rephasing of New Depot Site budgets | £ 48k |

Health & Leisure:

- Eling Tide Mill (delayed start to scheme) £ 218k

Housing:

- Totton Flats and Housing Acquisitions / Development £ 235k

Open Spaces Developer Contributions (Total £898k, shared
equally between 15/16 and 16/17) £ 449k

Transportation Developer Contributions £ 891k

TOTAL **£2,521k**

5. HOUSING REVENUE ACCOUNT

5.1 An HRA budget was agreed in February with a forecast net operating surplus of **£1.461m**.

5.2 This report identifies total negative variations of £37k, together with a rephasing from 2014/15 of £30k, reducing the forecast net operating surplus of the HRA to **£1.394m**. The variations consist of the following:

- £17k of the total of Grounds Maintenance minor kit rephasings of £26k is in respect of the HRA (see section 3.4 above)
- Insurance costs to the HRA have increased by £20k
- £30k of the new Housing Repairs System budget has been rephased from 2014/15.

6. CRIME AND DISORDER / EQUALITY AND DIVERSITY/ENVIRONMENTAL IMPLICATIONS

6.1 There are no Crime & Disorder, Equality & Diversity or Environmental implications arising directly from this report.

7. PORTFOLIO HOLDER COMMENTS

7.1 I am pleased to see that the Council is continuing to identify savings against the budget. We will look to continue this process as we move forwards.

8. RECOMMENDATIONS

8.1 It is recommended that Cabinet notes the revised outturn forecasts of the General Fund (para 3.2), Capital Fund (para 4.1) and Housing Revenue Account (para 5.1) and approves the additional expenditure requirements identified in Section 3 of the report.

For Further Information Please Contact:

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Background Papers:

None

CABINET – 5 AUGUST 2015

PORTFOLIO: ALL

DELEGATION OF POWERS TO OFFICERS

1.0 INTRODUCTION

- 1.1 The Council operates an extensive scheme of delegation of powers to officers, which allows decisions to be taken quickly and efficiently within defined polices.
- 1.2 For operational reasons it is necessary to update the scheme of delegation of powers to officers to allow a little more flexibility in the pool of persons authorised to exercise discretion in approving discretionary rate relief (delegation F & E 10) and also by the addition of the newly created post of Environmental Enforcement Officer to a wide range of powers to act.

2.0 ENVIRONMENTAL, CRIME AND DISORDER, EQUALITY AND FINANCIAL IMPLICATIONS

- 2.1 None arising directly from this report.

3.0 RECOMMENDED:

- 3.1 That the scheme of delegation of powers to officers to updated to include the officers shown in bold italics in each of the delegations attached in Appendix 1 to this report.

For further information contact:

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Or

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Background Papers:

None

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APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
Cab Auth 5 (old ref 559)	Animal Boarding Establishments Act 1963 Breeding of Dogs Act 1973 Caravan Sites & Control of Development Act 1960 Clean Air Acts 1956, 1968 and 1993 Control of Pollution Act 1974 Control of Pollution Amendment Act 1989 Dangerous Wild Animals Act 1976 Dangerous Dogs Act 1991 Environmental Protection Act 1990 Environment Act 1995 Food Act 1984 Food and Environmental Protection Act 1985 Food Safety Act 1990 (except s.19) Guard Dogs Act 1975 Housing Act 1985 Local Government (Miscellaneous Provisions) Acts 1976 and 1982	Authority to enter for the purposes of the Acts and any amending Statutes and Regulations in respect of functions which are the responsibility of the Cabinet	Head of Public Health and Community Safety, Environmental Health Manager, Housing Technical Manager, Corporate Health and Safety Manager, Senior Environmental Health Officers, Environmental Health Officers, Environmental Enforcement Officer , Environmental Health Technicians, Health Policy Development Manager	Cabinet 201. of 8/04/02

APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
	Noise and Statutory Nuisance Act 1993 Noise Act 1996 Offices Shops & Railway Premises Act 1963 Pet Animals Act 1951 Prevention of Damage By Pests Act 1949 Public Health Acts 1936 and 1961 Rag, Flock and Other Filling Materials Act 1951 Scrap Metal Dealers Act 1964 Shops Acts 1950- 1965 Building Act 1984 Deer Act 1980 (Section 3(4)) Slaughterhouses Act 1974 Slaughter of Poultry Act 1967			
Cab Auth 6 (old ref 560)	Environmental Protection Act 1990 s.149-151 Control of Dogs	To enter premises for the purposes of the Act	Dog Warden, Senior Environmental Health Officers, Environmental Health Manager, Environmental Enforcement Officer,	Cabinet 201. of 8/04/02

APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
Env 2 (Old ref 394)	Environmental Protection Act 1990 Part IV s. 88	To be an authorised officer and to give fixed penalty notices (Leaving litter)	Head of Customer and Financial Services, or Street Care Manager, or Recruitment Administrator, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer , or Community Safety Officer, or Parking Operations Manager, or Parking Attendant Shift Leader, or Parking Attendants, or Pest Control Officers, or Dog Warden, or Assistant Dog Warden, or Planning Enforcement Officer, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers, or Contract Inspector, or Parking Manager, or Parking Administrator, or Senior Administrative Assistant (Parking), or Head of Environment Services	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03

APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
Env 11 (Old ref 435)	Refuse Disposal (Amenity) Act 1978 s.3(1)	To remove abandoned vehicles	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, Environmental Enforcement Officer , or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06
Env 12 (Old ref 436)	Refuse Disposal (Amenity) Act 1978 s.3(2) and 4(1)	To give or serve notices in relation to the removal of abandoned vehicles	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, Environmental Enforcement Officer , or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06

No	Source	Power Delegated	Delegated to	Minute Reference
Env 13 (Old ref 437)	Refuse Disposal (Amenity) Act 1978 s.4(1)	To decide whether a vehicle is in such a condition that it ought to be destroyed To dispose of vehicles removed under section 3	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, Environmental Enforcement Officer	Cabinet 56. of 1/11/06
Env 14 (Old ref 438)	Refuse Disposal (Amenity) Act 1978 s.4(7)	To determine who to treat as the owner of a vehicle	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, Environmental Enforcement Officer	Cabinet 56. of 1/11/06
Env 15 (Old ref 439)	Refuse Disposal (Amenity) Act 1978 s.5	To recover charges connected with removed vehicles from any person responsible	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or	Cabinet 56. of 1/11/06

APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
Env 16 (Old ref 440)	Refuse Disposal (Amenity) Act 1978 s.8	To enter land for the purposes of the Act	Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, Environmental Enforcement Officer	Cabinet 56. of 1/11/06
Env 26 (Old ref 422)	Breeding of Dogs Act 1973 Dangerous Wild Animals Act 1976 Animal Boarding Establishments Act 1963 Zoo Licensing Act 1981	To administer and enforce the provisions of the Act in the name of the Council	Head of Public Health and Community Safety, or Environmental Health Manager, Environmental Enforcement Officer , or Environmental Health Technicians	Cabinet 201. of 8/04/02
Env 27 Old ref 424)	Dogs (Fouling of Land) Act 1996	To serve fixed penalty notices	Head of Public Health and Community Safety, or Senior Environmental Health Officers, or Environmental Health Manager,	Cabinet 201. of 8/04/02 Cabinet 12. of 6/06/07

No	Source	Power Delegated	Delegated to	Minute Reference
			or Dog Warden, or Client Inspectors, or Head of Environment Services, or Waste and Recycling Manager, or Contract Inspector, or Parking Manager, or Parking Administrator, or Senior Administrative Assistant (Parking), or Head of Customer and Financial Services, or Street Scene Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Assistant Dog Warden, or Planning Enforcement Officer, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers, or Contract Inspector, or Environmental Enforcement Officer	Cabinet 24. of 7/07/08
Env 32 (Old ref 417)	Building Act 1984 Clean Air Act 1993 Control of Pollution Act 1974 – Other than s.60 and s.61 Control of Pollution Amendment Act 1989 Dangerous Dogs Act 1991	To serve any relevant notice, issue any necessary Authorisation, licence or permit and inspect where applicable at any reasonable time any premises and enforce the relevant legislation for the purposes specified in	Head of Public Health and Community Safety, or Environmental Health Manager, or Health Policy Development Manager, or Corporate Health and Safety Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03 Cabinet 15. of 6/07/09

No	Source	Power Delegated	Delegated to	Minute Reference
Env 45 (Old ref 434)	Refuse Disposal (Amenity) Act 1978 s.2A	To be an authorised officer and to give fixed penalty notices	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or	Cabinet 56. of 1/11/06
	Deer Act 1980 Environmental Protection Act 1990 Food and Environmental Protection Act 1985 Food Safety Act 1990 and Regulations thereunder Guard Dogs Act 1975 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Noise Act 1996 Offices Shops & Railway Premises Act 1963 Prevention of Damage By Pests Act 1949 Police and Criminal Justice Act 1974 Public Health Acts 1936 and 1961 Rag, Flock and Other Filling Materials Act 1951 Slaughter of Poultry Act 1967 Sunday Trading Act 1994 Water Industry Act 1991	the Acts for environmental health functions which are a Cabinet responsibility	Officer , or Housing Strategic Services Manager, or Housing Grants Improvement Manager	

No	Source	Power Delegated	Delegated to	Minute Reference
Env 46 (Old ref 441)	Environmental Protection Act 1990 s.88	To be an authorised officer and to give fixed penalty notices (Leaving litter)	Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer , or Assistant Housing Needs Manager, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06

No	Source	Power Delegated	Delegated to	Minute Reference
Env 50 (Old ref 446)	Environmental Protection Act 1990 s.46	To serve notices under section 46(1), (3)(c) or (d) or (4) (Receptacles for household waste)	or Assistant Dog Warden, or Planning Enforcement Officer, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer	Cabinet 56. of 1/11/06
Env 51 (Old ref 447)	Environmental Protection Act 1990 s.47	To serve notices under section 47(2) or (4) (Receptacles for Commercial or industrial waste)	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer	Cabinet 56. of 1/11/06
Env 52 (Old ref 448)	Environmental Protection Act 1990 s.47ZA	To be an authorised officer and to give fixed penalty notices in respect of Section 46 and Section 47 (Receptacles for waste)	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or	Cabinet 56. of 1/11/06

No	Source	Power Delegated	Delegated to	Minute Reference
Env 53 (Old ref 449)	Environmental Protection Act 1990 s.59(1) and 59ZA(1)	To serve notices requiring the owner or occupier of land to remove unlawfully deposited waste and/or take steps to eliminate or reduce the consequences of the deposit of the waste	Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer	Cabinet 56. of 1/11/06
Env 54 (Old ref 450)	Environmental Protection Act 1990 s.59(6) and 7	To remove waste from land and to take other steps to eliminate or reduce the consequences of the deposit of the waste	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Environment Services, or Waste and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer , or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06

No	Source	Power Delegated	Delegated to	Minute Reference
Env 55 (Old ref 451)	Environmental Protection Act 1990 s59(6)	To recover expenses reasonably incurred by the Council in removing waste and taking other steps under section 59(6)	Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or, Environmental Enforcement Officer , or Community Safety Officer, or Dog Warden, or Assistant Dog Warden, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06
F & E 10 (Old ref 463)	Local Government Act 2000, s.15 Local Government and Finance Act 1988 s.49	To grant applications for: national non-domestic rate relief on hardship grounds; discretionary rate relief for a charity; and discretionary rate relief for non-profit making organisations,	Head of Housing and Customer Services, or Revenues Manager	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03 Cabinet 24. of 7/07/08

APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
		where the application accords with the approved policy framework		
		To refuse such applications where he or she considers that, in view of the financial position of the applicant, relief is not warranted	Head of Housing and Customer Services, or Revenues Manager	Cabinet 201. of 8/04/02 Cabinet 24. of 7/07/08
		To determine such applications where the circumstances are not covered by the approved policy framework Remarks: Subject to review of individual applications by the Appeals Committee if an applicant is aggrieved by a decision	Head of Housing and Customer Services, or Revenues Manager in consultation with the Finance and Efficiency Portfolio Holder	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03 Cabinet 24. of 7/07/08
Hsg & Com 7 (Old ref 327)	Anti-Social Behaviour Act 2003 s.43	To be an authorised officer and to give fixed penalty notices (Graffiti and fly-posting)	Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Head of Public Health and	Cabinet 56. of 1/11/06

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg & Com 8 (Old ref 328)	Anti-Social Behaviour Act 2003 s.48	To serve defacement removal notices, including the power to enter land to the extent reasonably necessary to affix a notice to a relevant surface (Graffiti and fly- posting)	Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer , or Community Safety Officer, or Parking Operations Manager, or Parking Attendant Shift Leader, or Parking Attendants, or Dog Warden, or Pest Control Officers, or Planning Enforcement Officer, or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer , or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06

APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
Hsg & Com 9 (Old ref 329)	Anti-Social Behaviour Act 2003 s.48(4) and (5)	To remove, clear or otherwise remedy a defacement where a defacement removal notice is not complied with and to enter land to the extent reasonably necessary for that purpose	Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or Environmental Enforcement Officer , or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06
Hsg & Com 10 (Old ref 330)	Anti-Social Behaviour Act 2003 s.49	To recover expenditure reasonably incurred in exercise of the power under section 48(4) (Graffiti and fly- posting)	Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers, or Environmental Enforcement Officer ,	Cabinet 56. of 1/11/06

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