

## DELEGATION OF POWERS TO OFFICERS.

### 1.0 INTRODUCTION

- 1.1 The Council operates an extensive scheme of delegation of powers to officers to allow routine business to be completed in a timely and efficient manner. The current scheme of delegation of powers to officers needs to be updated to reflect recent changes in the structure of the Planning and Transportation service.
- 1.2 The proposed changes to the scheme of delegation of powers are set out in Appendix 1 to this report. Officers who are being added to a particular delegation are show in bold italics. Deletions are shown struck through.

### 2.0 CRIME AND DISORDER, ENVIRONMENTAL, EQUALITY AND FINANCIAL IMPLICATIONS

- 2.1 None arising from this report.

### 3.0 RECOMMENDED:

- 3.1 That the scheme of delegation of powers to the officers be updated as shown in the schedule attached as appendix 1 to this report.

#### For further information contact:

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#### Background Papers:

None.

P & T 12 (Old ref 351)	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.88B(1) and s.88B(8))	To serve Notice of Intended Entry and Notice of Intention to Carry out Works	Head of Legal and Democratic Services or, in his or her absence, Solicitors, or Employed Barrister, in consultation with Planning Policy Manager, <del>or Environmental Design Manager, or Conservation Architect, or Conservation Officers</del>	Cabinet 201. of 8/04/02 Cabinet 42. of 4/08/04 Cabinet 12. of 7/06/06
P & T 13 (Old ref 352)	Local Government (Miscellaneous Provisions) Act 1976 (s.23 and 24)	(1) Dangerous trees - to exercise the powers conferred on the Council under Sections 23 and 24 of the Act; to take such steps as may be appropriate for the purposes of Sections 23(1), 23(2) and 23(4) of the Act, and to take the specified steps in the event of the failure of a person to comply with a notice served pursuant to Section 23(3) of the Act  Remarks: Subject to Council's Financial Regulations and Standing Orders as to Contracts	Head of Planning and Transportation, <b>or Development Control Manager, or Planning Policy Manager</b> <del>or Senior Arboriculturist, or Environmental Design Manager</del>	Cabinet 201. of 8/04/02 Cabinet 12. of 7/06/06 Cabinet 24. of 7/07/08
P & T 16 (Old ref 355)	Building Act 1984 Town and Country	To initiate and undertake prosecutions on behalf of	Head of Legal and Democratic Services or, in his or her absence,	Cabinet 201. of 8/04/02

	<p>Planning Act 1990  Planning (Listed Buildings and Conservation Areas) Act 1990  Planning (Hazardous Substances) Act 1990  Local Government (Miscellaneous Provisions) Act 1976  Planning and Compulsory Purchase Act 2004</p>	<p>the authority pursuant to these Acts and any amending legislation, or Regulations made pursuant to the Acts on matters which are the responsibility of the Cabinet</p> <p>Remarks: General Delegation put in to replace specific authorities under various sections of these Acts</p>	<p>Solicitors, or Employed Barrister, in consultation with the Head of Planning and Transportation, or Development Control Manager, or Planning Policy Manager, or Area Planning Officers, or Principal Planning Officer, or Senior Planning Officer - Enforcement, or Planning Officers, or Assistant Planning Officers, or Senior Arboriculturist, or Arboriculturist, <del>or Environmental Design Manager, or Conservation Architect, or Conservation Officers, or Principal Building Control Surveyor, or Senior Building Control Surveyor, or District Building Control Surveyors</del></p>	<p>Cabinet  42. of 4/08/04  Cabinet  75. of 7/12/05  Cabinet  12. of 7/06/06</p>
P & T 17 (Old ref 356)	<p>Town and Country Planning Act 1990 s.304  Planning and Compulsory Purchase Act 2004 s.115</p>	<p>To pay grants for research and educational assistance</p>	<p>Head of Planning and Transportation, or Planning Policy Manager, <b>or Development Control Manager</b></p>	<p>Cabinet  75. of 7/12/05  Cabinet  12. of 7/06/06</p>
P & T 18 (Old ref 357)	<p>Local Government Act 2000, s.15</p>	<p>To select footway lighting improvement schemes within the development programme budget</p>	<p>Head of Planning and Transportation, or Planning Policy Manager, <del>or Principal Engineer (Transportation)</del>, in consultation with the Town or Parish Councils, or Planning and Transportation Portfolio Holder following receipt of suggestions from Town or Parish Councils</p>	<p>Cabinet  201. of 8/04/02  Cabinet  42. of 4/08/04  Cabinet  12. of 7/06/06</p>

P & T 19 (Old ref 361)	Town Police Clauses Act 1847 S.21 Hampshire Act 1983 s.68	To make and sign an Order to bring into effect temporary road closures, subject to:  i) no objections being received from the Police or County Council within 28 days ii) prior consultation with District and County Councillors whose wards are directly affected; and iii) prior consultation with local transport operators, the Fire Service, Ambulance Service, Town/Parish Council, and Chamber of Commerce	Chief Executive, or Head of Legal and Democratic Services, or Head of Planning and Transportation, or Planning Policy Manager, <b>or Senior Transportation Officer</b> , or <del>Principal Engineer</del> (Transportation)	Cabinet 42. of 4/08/04 Cabinet 12. of 7/06/06
P & T 20 (Old ref 362)	Road Traffic Regulation Act 1984 s.69	To serve notices and to take action for the removal of signs for the guidance or direction of road users	Head of Planning and Transportation, or Planning Policy Manager, <b>or Senior Transportation Officer</b> or <del>Principal Engineer</del> (Transportation)	Cabinet 201. of 8/04/02 Cabinet 42. of 4/08/04 Cabinet 12. of 7/06/06
Old ref 370	Deleted			
P & T 33 (Old ref 373)	Local Government Act 2000, s.15	In appropriate cases to inform the Licensing Authority that the Council, without prejudice to its	Head of Planning and Transportation, or Development Control Manager, or Area Planning Officers, or Principal	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03

		formal consideration of the licence application, has no objection to a temporary heavy goods licence being issued, for not more than three months, to an operator	Planning Officer, or Senior Planning Officer - Enforcement, in consultation with the Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers	Cabinet 12. of 7/06/06
P & T 34 (Old ref 375)	Public Health Acts Amendment Act 1890 s.42	To enter into sponsorship agreements for the enhancement of roundabouts subject to no objections being received from the Police, County Council, Town or Parish Council and, in the National Park Area, the New Forest National Park Authority	Head of Planning and Transportation, or <del>Principal Engineer (Transportation)</del> , in consultation with the <b>Planning Policy Manager</b> <del>Environmental Design Manager</del>	Cabinet 42. of 4/08/04 Cabinet 12. of 7/06/06
P & T 36 (Old ref 378)	Highways Act 1980 Road Traffic Regulations Act 1984 Local Authorities (Goods and Services) Act 1970 Local Government Act 1972 s.101 Local Government Act 2000, s.15 Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000	The functions referred to in the Agency Agreement (subject to the general qualifications and procedures contained therein) (with the exception of the temporary traffic management measures which are subject to separate delegation arrangements)	Executive Director, or Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, or <del>Principal Engineer</del> , or Democratic Services Manager, or Head of Planning and Transportation, or Planning Policy Manager	Cabinet 23. of 10/07/03 Cabinet 42. of 4/08/04 Cabinet 12. of 7/06/06

P & T 37 (Old ref 379)	Highways Act 1980 s.278	To enter into Agreements to execute improvement schemes on the public highway, subject to prior approval from the Portfolio Holder	Chief Executive, or Head of Legal and Democratic Services, or Democratic Services Manager	Cabinet 41. of 6/09/06
		To enter into alternative arrangements with Hampshire County Council for minor improvement schemes	<del>Principal Engineer</del> <b>Head of Planning and Transportation, or Planning Policy Manager</b>	
P & T 38 (Old ref 380)	Road Traffic Regulation Act 1984 (as amended)	To make and sign an Order, or to give Notice to bring into effect temporary road closures, temporary traffic diversions, temporary speed limits and other temporary traffic management measures subject to:  i) no objections being received during the consultation period from either the Police or Hampshire County Council ii) Local District and County Members whose wards are directly affected being consulted and their views being carefully considered	<del>Principal Engineer</del> Executive Director, <b>Head of Planning and Transportation, or Planning Policy Manager</b> or <del>Principal Engineer (Transportation)</del> , or Head of Legal and Democratic Services, or Democratic Services Manager	Cabinet 42. of 4/08/04

iii) Principal local public transport operators being consulted and their views being carefully considered

P & T 39  
(Old ref 381)

Planning (Listed Buildings and Conservation Areas) Act 1990

To offer historic building grants

Head of Planning and Transportation, **or Planning Policy Manager** ~~or Environmental Design Manager~~

Cabinet  
17. of 2/06/04  
Cabinet  
12. of 7/06/06  
Cabinet  
24. of 7/07/08