

**Section 5A**  
**City of Portsmouth Member Information Service (M.I.S.)**

1. The following powers, duties and functions of the city council, cabinet and regulatory committees shall be delegated to the officers indicated below (or an officer within their department nominated by them for that purpose), subject to the rules in the following paragraphs.
2. An officer may choose to publish an intended decision in MIS before exercising the delegated power.
3. The proposals shall be identified by a heading, must be summarised, must identify any ward or wards affected by the proposal, and must name the officer or officers who can be contacted for further information about the proposal (with their telephone extensions).
4. A member may require that any proposed decision within MIS shall be referred to the relevant Cabinet / Member or committee for decisions within the time period specified within the MIS. No decision shall be made under delegated powers should an item be 'called in'.
5. Those powers delegated may be amended from time to time by the City Solicitor to remove anomalies and ambiguities to reflect structural and legislative changes.
6. Any regulatory committee or the Cabinet, may vary the powers which they have delegated.

The following powers are delegated subject to M.I.S. provisions above:-

1. **TO CHIEF EXECUTIVE, ~~DEPUTY CHIEF EXECUTIVE~~ AND DIRECTORS:-**

a. In consultation with the **Director of Finance and Resources and IS:-**

- i. The incurring of capital expenditure of more than £100,000 up to a limit of £500,000.
- ii. Subject to (b) below, to approve additional capital expenditure or overspending above £50,000 when the additional expenditure has not been provided in the estimates, when equivalent savings can be identified within the approved estimates.
- iii. Subject to (b) below, to approve additional revenue expenditure or overspending of £50,000 or more when the additional expenditure has not been provided in the estimates, when equivalent savings can be identified within the approved estimates.
- iv. Determining the level of any fee or charge (including a new fee or charge or reduction in an existing fee or charge), where first any fee or charge is otherwise than in accordance with RPI or secondly where the Director of Finance and IS believes there are corporate policy implications in the proposal.

b. In consultation with the **Director of Finance and Resources and IS:-**

- i. Overspending on an approved contract sum above the greater of £1,500 or 0.5% (capital) or 5% (revenue) up to the greater of a limit of £5,000 or 0.5% (capital) or 5% (revenue).

- ii. Payments of grants to voluntary bodies including clubs and societies above £5,000.

- c. In consultation with the **Director of Finance and Resources and ISDirector of Corporate Services:-**

The purchase or leasing of any computer hardware or software, or other similar equipment above £100,000.

- ~~d. Consultation~~

~~To finalise the city council's comments on any matter where the city council is a consultee. [moved to Part 2 5B]~~

## TO THE DIRECTOR OF REGENERATION

- ~~a. Except in respect of applications where the Development Control Manager has outright delegation, to grant or refuse all applications for planning permission or other consents under the town and country planning legislation (including for hazardous substances), which are not a departure from the Development Plan or do not have implications for the council's general policies. For the avoidance of doubt, this includes the granting of operative, planning resolutions for city council development and when the decision would be contrary to views expressed by statutory consultees or material planning representations received as a result of publicity given to the proposals.~~

- ~~b. Approve minor changes to conservation area boundaries.~~

- ~~c. To determine complaints received in respect of high hedges and to take such other action under Part 8 of the Anti-Social Behaviour Act 2003 as may be appropriate.~~

- ~~d. To grant or refuse applications for telecommunications code operator proposals under part 24 of the Town and Country Planning General Development Order. This power is subject to consultation with the chair, vice-chair and opposition spokesperson (or their nominees) of the Planning Committee when the proposed decision would be contrary to views expressed by statutory consultees or representations received as a result of publicity given to the proposal.~~

- a.e. The closure or restriction of rights over any highway, other than closures under Section 14 or 16A of the Road Traffic Regulation Act 1984.

- b.f. Except in respect of traffic regulation orders where there is outright delegation, to approve, vary or otherwise deal with traffic regulation orders where objections have been received and have not been subsequently withdrawn.

## 2. TO THE DIRECTOR OF HOUSING AND PROPERTY SERVICES

In respect of proposals affecting property held under the Housing Revenue Account:-

- a. To approve the principle of disposal of land and premises;
- b. To grant leases or licenses to occupy land or buildings for up to seven years at less than the best rents reasonably obtainable;
- c. The appropriation of land and property between holding powers, subject to consultation with the relevant chief officer and the Director of Finance and ~~IS~~Resources.
- d. To agree offers for or exchanges of land.
- e. In consultation with the Director of Regeneration to give permission for installation of communications services and services equipment, electricity sub-stations and other minor works or wayleaves in or on any council premises or land under their management.
- f. To agree terms for the variation of covenants for land and property previously sold by the council.

### 3. TO THE MONITORING OFFICER

- ~~a. To settle claims made against the council up to £50,000 and in respect of industrial injuries, up to £250,000.~~  
For the delegation of powers reserved to the Monitoring Officer, please see Part 4F - Statutory Officers - Monitoring Officer and Section 151 Officer.
- ~~b. To prepare and complete deeds of release in respect of covenants which are no longer applicable.~~

### 4. TO THE LOCAL DEMOCRACY MANAGER

To make member and officer level appointments to outside bodies and organisations on those occasions when time does not permit the appointment to be made at a council meeting or by the appropriate portfolio holder.

### 5. TO THE DIRECTOR OF ~~HR, LEGAL AND PERFORMANCE~~CORPORATE SERVICES

To approve the harmonisation of corporate personnel and related policies in force in PCC and HCC, and to approve any review of existing (or introduction of new) human resources policies, after appropriate consultative procedures have been followed.

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The powers, duties and functions were revised under council Minute 71/07.