



ABERDEEN

CITY COUNCIL

DELEGATED POWERS

HOUSING AND ENVIRONMENT SERVICE

HEAD OF HOUSING AND COMMUNITY SAFETY

HEAD OF REGENERATION AND HOUSING INVESTMENT

Deleted: CORPORATE DIRECTOR OF NEIGHBOURHOOD SERVICES (NORTH, CENTRAL & SOUTH)
¶ HEADS OF SERVICE FOR SHELTER AND ENVIRONMENT¶

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(A) SIGNED AUTHORISATION REQUIRED

1. To transfer the tenancy of a house to one partner and to rehouse the other partner, all in terms of paragraph 16 of Schedule 3 to the Housing (Scotland) Act 1987, in circumstances where the remedies available in terms of the Matrimonial Homes (Family Protection) (Scotland) Act 1981 to facilitate the transfer of the tenancy are no longer available to the applicant and the [Head of Housing and Community Safety](#) is satisfied that such action should be taken for the applicant's well-being or where joint residential custody of children has been awarded.
2. To create a joint tenancy in the following circumstances - (a) where two separate families are transferring from two Council-owned dwellings into one house as joint tenants and the [Head of Housing and Community Safety](#) is satisfied that such a move would be of benefit to both families concerned and to the Council, and (b) where, subject to certain conditions, an application is submitted by an existing tenant to give up their present tenancy and obtain a joint tenancy with a relative, such joint tenancy to be formalised only after a period of 12 months residence with the relative concerned, on the basis that the said 12 month period may be waived where, for example, it is proved to the satisfaction of the [Head of Housing and Community Safety](#) that the applicant requires to reside with a relative to provide essential support.
3. To provide temporary flatted accommodation on a non-secure basis to a person who is pursuing a court action for the transfer of the tenancy of the matrimonial home.
4. Where an applicant has left the family unit, to transfer the benefit of any priority relative to a current application for housing to a remaining member of the family.

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5. To accept, in circumstances which he considers appropriate, supported applications for sheltered housing accommodation notwithstanding that the applicant is not of pensionable age.
6. To accept, in circumstances which he considers appropriate, supported applications for amenity housing from applicants who would not normally be considered.
7. To accept an application for transfer to amenity or sheltered housing from two related persons of the same sex who agree to share the same bedroom and who give an undertaking that it is not their intention to make an application for separate or larger accommodation unless there is a change of circumstances approved by the [Head of Housing and Community Safety](#).
8. To approve, in circumstances which he considers appropriate, applications for a break in a joint tenancy from partners living within the matrimonial home and wishing to be rehoused separately from other partners in accordance with the "A" group of the allocation scheme having been pointed on the basis of the applicant occupying half the accommodation available, unless otherwise decided by the [Head of Housing and Community Safety](#).
9. Where a transfer request is received from an applicant occupying a sheltered house or a house which has been designed or adapted for occupation by a person with special needs and there is no longer a person with such needs occupying the dwellinghouse, to offer a transfer to the most appropriate suitable alternative accommodation of appropriate size as determined by the [Head of Housing and Community Safety](#).
10. Where a transfer request is received from an applicant occupying a ground floor flat which is found to be suitable for an applicant within the medical priority Group "E", to offer the ground floor tenant a transfer to the most appropriate suitable alternative accommodation of appropriate size as determined by the [Head of Housing and Community Safety](#).
11. Where an applicant, normally elderly, is in need of support from family who live in another part of the city, to move the applicant nearer to the supportive family and in certain circumstances to move the supportive family nearer to the applicant. Where the supportive family are to be moved nearer the applicant,

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they will only be considered for the same size and similar type of accommodation to that which they currently occupy.

12. In relation to succession to tenancies - (a) to accede, in circumstances which he considers appropriate, to requests by a grown-up member or members of a tenant's family arising from, for example, the tenant's intention to leave the house to re-marry, notwithstanding that the accommodation is in excess of the applicant's requirements; and in the event of the declinature of such a request, to offer, in circumstances which he considers appropriate, suitable alternative accommodation, (b) to accede, in circumstances which he considers appropriate, to requests by sole tenants to transfer the tenancy to a partner, (c) to accede, in circumstances which he considers appropriate, to requests by persons, within the definition of qualified persons, who are not entitled to succeed on the death of the tenant because the tenancy has already been succeeded to, (d) on the death of the tenant either to grant, in circumstances he considers appropriate, a tenancy to a person who is not a qualified person but who has occupied the house concerned for a period of not less than ten years or to grant such a person a tenancy of suitable alternative accommodation; and (e) to grant an applicant who qualifies to succeed to the tenancy of a particular house in terms of statute the tenancy of suitable alternative suitable accommodation should he or she so wish and it is in the Council's best interests to do so.
13. To transfer sheltered housing tenants within the same sheltered housing development where the tenants circumstances have changed since originally allocated sheltered housing and where the current accommodation is now considered to be no longer suitable.
14. Where a vacancy arises within a tenement block (with the exception of any ground floor flat which is required for letting on medical grounds), to grant a request for transfer to accommodation of the same size from a tenant whose spouse or partner has recently died and who is a current transfer applicant within that block and who expresses an interest in the particular vacancy. In the event of more than one tenant expressing such an interest, to offer the vacancy to the tenant with the longest period of residence within the particular block.

15. Where a vacancy arises within a multi-storey block comprising 3 apartment and 2 apartment flats or flats of the same size, to grant a request for transfer from a tenant whose spouse or partner has recently died and who is a current transfer applicant within that block and who expresses an interest in the particular vacancy, regardless of the size of the accommodation. In the event of more than one tenant expressing such an interest, to offer the vacancy to the tenant with the longest period of residence within the particular block.
16. To define individual houses as hard to let and subsequently to allocate such houses outwith priority in the interests of good housing management.
17. To accede, in appropriate circumstances, to requests for housing/rehousing from applicants who are in rent arrears or have any other outstanding debt to the council, on the basis that a satisfactory arrangement has been made in relation to the outstanding debt. Thereafter the application would be considered on normal turn of points priority.
18. To re-house a tenant to accommodation of a similar size and type or smaller than currently occupied in cases of fear of victimisation by neighbours or the family of neighbours.
19. Where only one or two tenants remain in occupation of an otherwise vacant tenement dwelling within a housing scheme designated as a housing initiative area, to allow transfers to similar housing initiative accommodation.
20. Where a tenant has been admitted to hospital or a residential care establishment on a long-term basis to accept the voluntary termination of the tenancy on the understanding that accommodation of the same size and type in the same letting area is readily available, otherwise in an area of similar letting demand will be offered on discharge provided the tenancy has been considered to have been conducted satisfactorily and that a satisfactory arrangement has been made at the termination of the tenancy to pay any outstanding debt.
21. Where a single tenant sentenced to a term of imprisonment which will lead to his or her absence from home for a period exceeding 26 weeks has terminated the tenancy (on the basis that the tenant shall be responsible for the removal and storage of any furniture and personal effects), to offer accommodation of a suitable size and similar type within the same letting area if readily available

otherwise in an area of similar letting demand on release from prison provided the tenancy has been considered to have been conducted satisfactorily and that a satisfactory arrangement has been made at the termination of the tenancy to pay any outstanding debt.

22. In relation to requests for transfers of tenancies to accede, in appropriate circumstances, to requests by a member or members of a tenant's family, over 16 years of age, arising from the tenant's intention to leave the house (for example to marry), even if the accommodation is in excess of the applicant's requirements; and in the event of the declinature of such a request, to offer, in appropriate circumstances, suitable alternative flatted accommodation.
23. In relation to requests for transfers of tenancies to accede, in appropriate circumstances, to request by sole tenants to transfer the tenancy to a partner.
24. In relation to requests for a first or second succession to a tenancy from a qualified person, to grant the succession and thereafter offer a transfer should the person so wish and if it is in the interests of the Service. This should be to flatted accommodation of appropriate size within the same area or areas of similar letting demand.
25. In relation to requests for a succession to a tenancy from a non-qualified person, where the non-qualified person has been in the property for up to 10 years, consideration should be given to grant the succession or alternatively flatted accommodation of appropriate size and within such area as may be determined by the [Head of Housing and Community Safety](#) having regard to the size, type and letting demand of the property.
26. In relation to requests for a succession to a tenancy from a qualified or non-qualified person, where they have been in the property for more than 10 years, the applicant should be granted the succession and thereafter offered a transfer should they wish. This should be to flatted accommodation of appropriate size within the same area or areas of similar letting demand.
27. In relation to a request for a third succession to a tenancy from a qualified or non-qualified person, where the qualified or non-qualified person has been in the property for up to 10 years, consideration should be given to the size, type and letting demand of the property. Thereafter, if deemed appropriate, the

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applicant should be granted the succession or alternatively offered suitable alternative accommodation. This should be of flatted accommodation of appropriate size and may be in any area, as determined by the [Head of Housing and Community Safety](#).

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28. Where an offer of accommodation has been accepted but one partner dies or goes into a residential home or institution prior to the lease being signed to permit the remaining partner to occupy the accommodation provided that the accommodation is of a size suitable to his or her needs.
29. Where a tenant is unwilling to maintain their garden in a tidy condition and the tenant is willing to move of their own accord, to arrange to re-house the tenant in flatted accommodation without a garden.
30. Where, as a result of fire, flood, etc. which cannot be proved to have been intentional, neighbours make representations that a tenant be re-housed, to offer the tenant concerned accommodation of a similar size and type or smaller than currently occupied.
31. To re-house tenants involved in circumstances where no more than two tenants remain in occupation of a Council owned non-state aided block which is below tolerable standard.
32. To transfer tenants, on a temporary basis, to same size and similar type accommodation within the same letting area, if readily available, otherwise in an area of similar letting demand, where transfer is considered by the [Head of Housing and Community Safety](#) to be necessary to enable essential repairs or improvements to be carried out.
33. To transfer tenants, on a permanent basis to same size and similar type accommodation within the same letting area, if readily available, otherwise in an area of similar letting demands where transfer is considered by the [Head of Housing and Community Safety](#) to be necessary to enable essential repairs or improvements to be carried out.
34. To arrange, where considered appropriate, for the provision of temporary flatted accommodation of a suitable size within the same letting area, if readily available otherwise suitable alternative letting areas for owner occupiers on grounds of social or medical needs where improvement work is being carried out with the aid of an improvement grant but outwith the Housing Action area.

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35. To arrange for the provision of temporary flatted accommodation of a suitable size within the same letting area, if readily available, otherwise suitable alternative letting areas to tenants of a private sector accommodation which is the subject of a Repairs Notice under section 108 of the Housing (Scotland) Act 1987 in cases where a landlord is unable to secure alternative accommodation.
36. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases of violence, intimidation, fear of victimisation or other harassment by neighbours or any party where no other suitable remedy exists.
37. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases of bereavement where death was due to violent or traumatic circumstances.
38. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases where a former partner or close relatives of a former partner have moved into or are living in accommodation situated in close proximity to the tenant.
39. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases where the tenant is suffering harassment by a partner, ex-partner or relative of ex-partner following a decision of the Court regarding the tenancy of the matrimonial home.
40. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases where the tenant is suffering harassment by a partner, ex-partner, or relative of ex-partner and where the [Head of Housing and Community Safety](#) is satisfied that an attempt to continue living in the current accommodation would likely be met with violence or threats of violence.
41. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases where the natural parent/s of an adopted or fostered child move into accommodation situated in close proximity to the tenant.
42. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases where there have been repeated

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break-in incidents DIRECTED AT THE TENANT, subject to corroboration by the police.

43. To re-house a tenant to accommodation of a similar size (or smaller) than currently occupied and similar type in cases where a tenancy has recently been created (normally within 12 months), is proving unsatisfactory and the tenant concerned is prepared to move.
44. Where there has been an irreconcilable dispute between two non-compatible neighbours, to offer accommodation of a similar size (or smaller) than currently occupied and similar type to either or both parties.
45. To re-house a tenant to accommodation of a similar size (or smaller) and type in an area of similar letting demand in cases where the tenant or their family are considered, to the satisfaction of the [Head of Housing and Community Safety](#), to be the victim of racial harassment or live in fear of such harassment. Deleted: Head of Shelter
46. To allocate the equivalent number of one bedroomed flatted properties to recipients of housing support from Mental Health service providers, where identified to require housing and support via the Community Mental Health Team or an existing service provider where an organisation is returning a property used for grouped living purposes to mainstream housing.
47. To transfer sheltered housing tenants to similar type accommodation based on their original points award.
48. To make available to incoming employees of the Council suitable flatted accommodation for a period not exceeding 6 months.
49. To accept applications for the creation of a joint tenancy from two co-habitee persons of the same sex.
50. To decline applications for mutual exchanges in circumstances where one of the parties dies prior to the appropriate legal formalities being finalised.
51. To determine in consultation with the [Head of Finance](#) each application under the Rent to Mortgage Scheme in the manner considered most favourable to the Council. Deleted: City Chamberlain
52. To determine in connection with the Right-to-Buy legislation, whether or not to accept late acceptances of offers to sell timeously served having regard to the

- likelihood of a significantly altered valuation being adopted if the late acceptance were rejected and a fresh application submitted.
53. To approve the permanent decanting of tenants whose homes have been identified for upgrading to already upgraded void properties.
 54. To allocate properties which have been adapted for a person with a disability where possible to the most appropriate applicant on the Council's waiting or transfer list.
 55. To accept applications for lease of municipal houses by organisations the principles of which are beneficial to the community as a whole, where these would have no detrimental effect on the waiting or transfer lists for such properties.
 56. To offer accommodation on a like for like basis to a person requiring care and support, or their carer (irrespective of client group), on the satisfaction that the qualifying criteria outlined in the Criteria for Care Transfer Scheme have been fulfilled.
 57. To offer accommodation of a similar size and type in an area of a similar letting demand to a non-council tenant (Housing Association or co-operative) where the tenant is occupying an adapted property or a property built specifically for a person with a physical disability and the tenant no longer has the need for the accommodation and the demand exists for the property.
 58. To permit the retention, on the loss of an expected child, of the points award made in respect of an applicant's pregnancy, on the understanding that no similar points award will be made in relation to the applicant's first subsequent pregnancy.
 59. To instruct the raising of any court proceedings, or the taking of any other legal action, in respect of houses in the Council's ownership or any other housing function and to instruct the enforcement of any court orders or decrees obtained in such proceedings or legal action.
 60. To permit a tenant of Aberdeen City Council to be re-housed to accommodation of a similar or smaller size, type and letting area where a Scottish Secure tenancy proves to be unsatisfactory, and the tenant is prepared to be re-housed and to accept a Short Scottish Secure tenancy, together with appropriate housing support.

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61. To approve or decline applications from tenants of Council houses for

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(i) erection of lock-up garages

(ii) installation of car runways

(iii) erection of boundary enclosures including walls, fences, gates, etc

(iv) erection of outbuildings including garden sheds, greenhouses and pigeon lofts

(v) external alterations and additions to houses including enclosures of verandas, erection of satellite dishes, replacement of external doors and replacement windows

(vi) internal alterations and additions to houses including replacement of sink units, kitchen fitments and bathroom suites, installation of bathroom showers, central heating, removal of internal coal cellars, removal of coal fires and installation of alternative forms of heating, and electrical rewiring and upgrading.

62. To approve, decline or defer routine applications in respect of housing improvement or repair grants or grants for the provision of fire escapes in houses in multiple occupation on the understanding that:

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(i) where appropriate the expenditure involved has been approved by the Head of Finance as falling within approved Council limits;

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(ii) a report containing a list of the various applications together with the decisions and sums approved be placed in each of the Members' Library and given to Group Leaders prior to each meeting of the Committee for information purposes;

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(iii) all applications of an unusual or novel nature are reported to Committee for determination.

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63. To appoint external consultants as and when necessary in connection with projects including in the Housing Capital Plan or financed from appropriate revenue budgets or in connection with proposals or developments instructed by the Council or any Committee of the Council.

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64. To approve requests for the division of mutual drying greens subject to the agreement, where appropriate, of affected neighbouring tenants;

65. To approve applications based on medical need, to replace warm air heating systems with conventional heating systems on the understanding that a report

containing a list of the various applications will be placed in the Members' Library and given to Group Leaders prior to the meeting of each Committee for information purposes with a summary report being presented to each Committee meeting.

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66. To arrange for payments to be made in terms of Section 58 of the Housing (Scotland) Act 1987 to Council tenants at the termination of a secure tenancy in respect of improvements carried out by them, including the construction of garages, during the currency of the tenancy, with the consent of the Council, in terms of Council policy.

67. To adopt amenity areas subject to the areas being brought up to a standard suitable for adoption and the owners paying to the Council a capitalised maintenance charge.

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68. To grant requests for funding to be paid from Section 75 and the income from the discount for Council Tax on second homes and long term empty properties up to a value of £30,000 for small scale works.

69. To assess and approve as necessary, on a case by case basis, applications from Council tenants occupying 3+ bedroom family homes, who wished to downsize to smaller accommodation.

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70. In consultation with appropriate officials to decline offers to purchase Council land or property and offers to sell land or property to the Council, subject to the applicant having the right to request that the matter be referred to Committee for consideration.

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71. In consultation with appropriate officials to acquire or sell land or property where the purchase or disposal price does not exceed such sums as the Council may from time to time determine, with the current maximum sum of £100,000.

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72. In consultation with the relevant officials to sell or lease sites to statutory undertakers, allowing early entry to such sites in cases of urgency.

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73. In consultation with appropriate officials to adopt amenity areas subject to the areas being brought up to a standard suitable for adoption and the owners paying the Council a capitalised maintenance charge.

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74. In consultation with appropriate officials to make representations, negotiate and agree Rateable Values for properties where there is a Council interest as

proprietor, tenant or occupier, in relation to any Valuation Notice served on the Council.

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75. To make representation on the Council's behalf to the Head of Planning and Sustainable Development for submission to the Development Management Sub Committee in situations where notice has been served on the Council as a party having a notifiable interest in neighbouring land which is subject to a planning application.

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76. To determine, following consultation with the relevant officials, the most appropriate means whereby the Council's objectives and intentions in relation to the procurement of construction projects can best be achieved.

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77. To determine the most appropriate form of contract to be adopted in the attainment of work instructed by the Council or any Committee of the Council and to take such steps as may be necessary to achieve timeous completion of work, such actions to include payment for the purchase of materials or components located outwith the works location and, in the event of liquidation or receivership, the appointment of new contractors or suppliers or manufacturers.

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78. To acquire pre-owned vehicles and plant items where there is an economic advantage to the Council.

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79. To approve requests for permission to sub-let houses and to take in lodgers.
80. To deal with requests to operate businesses from Council houses, subject to a right of appeal by the tenant to the Committee.
81. To grant tenancies of municipal houses.
82. To grant tenancies of municipal lock-ups and garage sites.
83. To sign and to authorise Senior Housing Assistants and Senior Arrears Officers to sign Notices of Proceedings for Recovery of Possession of Council properties for rent arrears and estate management reasons.
84. To grant applications by tenants for permission to keep pets.
85. To take all necessary action in circumstances where a secure tenancy passes by operation of law to a qualified person.
86. To approve requests for leave of absence of a municipal house.
87. To take all necessary action in relation to the unauthorised occupation of municipal houses.
88. To authorise, in consultation with the Head of Legal and Democratic Services for the raising by the Head of Legal and Democratic Services on behalf of the Council of proceedings in appropriate cases for the recovery of possession of municipal houses on any of the grounds specified in paragraphs 1 - 15 inclusive of Part 1 of Schedule 3 to the Housing (Scotland) Act 2001 provided that the Head of Legal and Democratic Services is satisfied that the grounds for terminating the tenancy are sufficient in law and can be substantiated.
89. To deal, in consultation with the Head of Legal and Democratic Services, with cases of unauthorised or irregular occupation of municipal houses by persons other than the tenant.
90. To identify areas within the City that may be excluded from applications to purchase Council garages, garage sites and lock-ups.
91. To grant any of the licences or registrations as may be determined by the appropriate Committee.

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92. To determine, in consultation with the Head of Finance, such annual increase, if any, as may be required in licence fees, registration fees, and the other charges as may be determined by the appropriate Committee.

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93. To arrange for payments to be made in terms of Section 234 of the Housing (Scotland) Act 1987 where a tenant is required to remove from their house in order to facilitate the carrying out of repairs or where the Head of Housing and Community Safety in the exercise of his delegated powers arranged for the provision of temporary or permanent rehousing to tenants in houses which are affected by a modernisation scheme.

94. To implement the Council's Tenant's Grants Scheme and approve or decline applications in terms thereof in respect of kitchen replacement, bathroom replacement, window replacement and the provision of central heating within the criteria approved by the Council:

95. To increase the relative priority of homeless families and couples where the short term supply and demand for housing is impacting on the Council's statutory duty to offer appropriate permanent housing.

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96. To delegate to Area Housing Managers, in consultation with the relevant Head of Service, to either terminate or continue within the categories in future and to grant or decline future applications from organisations to lease Council properties.

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HEAD OF ENVIRONMENTAL SERVICES

97. To waive dog warden service charges in whole or in part in those cases where he considers that the imposition of a charge or full charge would cause genuine hardship and distress to the dog owner concerned.

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98. To give consents in respect of applications made to the Council under Section 61 of the Control of Pollution Act 1974 and, at his discretion, to publish any consents given in respect of such applications.

99. To place on a register of houses let in lodging those premises where conditions are found to be such that control is desirable.

- [100.](#) To issue Certificates as required under Section 39(4) of the Civic Government (Scotland) Act 1982 regarding the compliance of vehicles, kiosks or moveable stalls with relevant regulations made under Section 16(1)(d) of the Food Safety Act 1990.
- [101.](#) To implement any action required under sub-section 3 of Section 87, Section 90(2)(3)(4) and (7); and sub-section 7 of Section 92 of the Civic Government (Scotland) Act 1982 (immediate repair of buildings in the interests of health and safety installation of lights in private properties and removal of litter from private courts, etc.).
- [102.](#) To issue certificates as required by Section 23(1) and (4) of the Licensing (Scotland) Act 1976 regarding the compliance of premises with Regulations made under Section 16(1)(d) of the Food Safety Act 1990 relating to construction, layout, drainage, ventilation, lighting and water supply or concerned with the provision of sanitary and washing facilities.
- [103.](#) To engage temporary staff for a limited period in the event of the emergency mortuary being required for use and the departmental staff being insufficient in number having regard to the size of the emergency.
- [104.](#) To authorise any official veterinary surgeon, acting for the Council, for any of the statutory purposes for which an official veterinary surgeon is required.
- [105.](#) To make observations in terms of the Fresh Meat Export (Hygiene and Inspection) (Scotland) Regulations, 1981/84 in respect of any applications referred to the Council by the SOAEFD.
- [106.](#) To take such action as is necessary with regard to the administrative arrangements under Part 1 of the Food and Environmental Protection Act 1985.
- [107.](#) To revoke the registration and/or licences of dairy producers who have been accepted into the milk outgoer scheme operated by the Scottish Government Environment and Rural Affairs Department.
- [108.](#) To revoke or suspend licences in terms of the Petroleum (Consolidation) Act 1928.
- [109.](#) To make application to the Sheriff, under Section 27 of the Water (Scotland) Act 1980, to close or restrict the use of water from a polluted source.
- [110.](#) To approve chimney heights under Section 14, 15 & 16 of the Clean Air Act 1993.

111. To report to the Scottish Government, in terms of Section 46 of the Clean Air Act 1993, any crown premises failing to comply with the Act as listed in Section 46(1) (a)-(d).
112. To attend or authorise a member or members of his/her staff to attend meetings of any of the bodies listed in Appendix 4 hereto but always subject to the exigencies of the service.
113. To authorise such other persons as may be required in terms of Section 20(2)(c)(i) of the Health and Safety at Work, etc. Act 1974 and Section 32(4) of the Food Safety Act 1990 to enable an inspector to be accompanied on visits to premises by specialists from other fields.
114. To remove and dispose of abandoned vehicles in terms of the Refuse Disposal (Amenity) Act 1978.
115. To act as a competent objector in terms of Section 16 of the Licensing (Scotland) Act 1976 in respect of applications to the Licensing Board to renew, permanently transfer or make application for a new licence.
116. To exercise the statutory functions of the Council as a Local Weights and Measures Authority.
117. To exercise the discretion contained in Regulation G(2) of the Control of Asbestos at Work Regulations 1987 concerning the commencement of work with asbestos.
118. To exercise the Council's powers under the Food Safety Act 1990 and the Food Safety (Sampling and Qualifications) Regulations 1990.
119. To undertake Port Health duties under the Public Health (Scotland) Act 1945 and the Airports Authority Act 1965.
120. To authorise officers to exercise the powers of entry conferred by Section 32 of the Food Safety Act 1990 in respect of premises whether within or outwith the City.
121. In consultation with the **Head of Finance**, to accept bequests requiring provision by the Council for the upkeep and maintenance in perpetuity of individual graves and tomb stones in cemeteries under the control of the Council in such cases where the amount of the bequest is sufficient to cover the cost of maintenance and upkeep of the grave and of any tomb stone.

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122. To exercise the Council's powers under the Noise and Statutory Nuisance Act, 1993.

123. To deal with the provisions of the Aberdeen Scientific Services Laboratory.

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124. As Market Officer to take decisions on all matters involved in the day-to-day administration of the Castlegate and Green Markets including all disciplinary matters and grievances, subject to a right of appeal to Members and also to a right on the part of the Market Officer to refer particular issues, with or without recommendations, to the consideration of the Enterprise, Planning and Infrastructure Committee.

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125. To exercise the Council's power to grant licences in terms of the Petroleum (Consolidation) Act 1928.

126. To make, serve and amend Improvement Orders in terms of Section 88 of the Housing (Scotland) Act 1987 where a house does not meet the tolerable standard (the report detailed the definition of tolerable standard); to make and serve Closing Orders in terms of Section 114 of the Housing (Scotland) Act 1987 where a house does not meet the tolerable standard and ought to be demolished, and the house forms only part of a building which does not comprise only of houses which do not meet the tolerable standard; to make and serve Demolition Orders in terms of Section 115 of the Housing (Scotland) Act 1987 where any building comprises only a house, or houses which do not meet the tolerable standard and ought to be demolished; to make and serve Revocation Orders in terms of Section 116 of the Housing (Scotland) Act 1987 where a house has been brought up to the tolerable standard following the making of a Closure Order or Demolition Order; to accept and reject undertakings to bring properties up to the tolerable standard and to make and serve Suspension Orders and notices of rejection in terms of Section 117 of the Housing (Scotland) Act 1987 where undertakings are made in terms of that Section following the making of a Closure Order or Demolition Order, and the renewal or revocation of any Suspension Order so made.

127. To approve or decline requests from applicants for extensions of time in which to complete improvement or repair work being carried out in dwellings.

Deleted: <#>In consultation with the local members and the Convenor of the relevant Area Committee, to manage and maintain all roads on a list of public roads including power to reconstruct, alter, widen, improve or renew any such road within approved budgets, reporting to the Committee if any Member objects to the proposed decision. **Move to EP&I**¶
<#>In consultation with the local members and the Convenor of the relevant Area Committee, to exercise the control of road occupations, reporting to the Area Committee if any Member objects to the proposed decision. **Move to EP&I**¶
<#>To control street openings including the application of the New Roads and Street Works Act. **Move to EP&I**¶
<#>To implement arrangements for traffic management and related street furniture. **Move to EP&I**¶
<#>To undertake road safety audits. **Move to EP&I**¶

128. To close tenanted Below Tolerable Standard Council houses in consultation with the appropriate Council officials.

129. To approve or decline requests from applicants for extensions of time in which to complete improvement or repair work being carried out in dwellings.

130. To make payments in terms of Section 304 of the Housing (Scotland) Act 1987 to applicants who qualify in terms of that Section following the making of a Closing or Demolition Order.

(C) **GENERAL DELEGATIONS - HEAD OF ENVIRONMENTAL SERVICES**

1. To exercise the Council's enforcement powers under the Environmental Protection Act 1990 and authorise the use of abatement and fixed penalty notices under Parts III and IV of the Act respectively.

2. To authorise officers to exercise the powers conferred on the Council by Environmental Health, Public Health and Consumer Protection/Trading Standards legislation.

3. To authorise Noise Control Officers, Environmental Health Officers and Authorised Officers within the Environmental Protection Section and Housing Assistants (helpline), to implement Part 5 of the Anti-Social Behaviour, etc. (Scotland) Act 2004.

4. To lodge objections or to make representations on the Council's behalf to applications for licences and the renewal and variation of licences, submitted to the Aberdeen City Licensing Board and the Council's Licensing Committee in cases where the Council are permitted by statute to object such applications.

5. To authorise Environmental Health enforcement staff to carry out the new enforcement provisions contained in section 80 of the Environmental Protection Act 1990, as amended by the Public Health etc (Scotland) Act 2008.

6. To authorise Public Health Managers and Principal Environmental Health Officers to sign Abatement Notices in relation to insect nuisance, artificial light pollution, and nuisance associated with water as well as Fixed Penalty

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Deleted: <#>To arrange for payments to be made in terms of Section 234 of the Housing (Scotland) Act 1987 where a tenant is required to remove from their house in order to facilitate the carrying out of repairs or where the Head of

Deleted: <#>Resources Development & Delivery

Deleted: <#>Asset Management and Operations (?) in the exercise of his delegated powers arranged for the provision of temporary or permanent rehousing to tenants in houses which are affected by a modernisation scheme.¶

<#>In consultation with the local members and the Convener of the relevant Area Committee and in liaison with the Head of Legal and Democratic Services, to deal with preliminary statutory responses to traffic orders, to report to the relevant Area Committee if concerns have been raised or to request the Head of Legal and Democratic Services to move to the main statutory stage without t ... [1]

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Deleted: <#>To negotiate appropriate terms and conditions for the amend ... [3]

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Notices served in terms of section 80 of the Environmental Protection Act 1990.

7. To authorise Environmental Health enforcement staff to enforce the provision of regulations which are to be made under part 8 of the Public Health etc (Scotland) Act 2008 in relation to sunbeds, including the power to serve Fixed Penalty Notices in terms of section 105 of the act.

8. To authorise, sign, issue and where necessary, revoke the necessary authorisations, in relation to the Scottish Scambusters Team.

9. To authorise appropriate officers to commence with the use of "Work Notices" on 1 April, 2010, once the current Serious Disrepair Notice falls, in order to use these enforcement powers to complete works where it is required;

10. To authorise officers to decline any grant application relating to a Serious Disrepair Notice, that is either received after 31 March, 2010 and/or any applications relating to a Serious Disrepair Notice, this is incomplete as of 31 March, 2010, unless those applications pertain to properties within active Housing Action Area where the termination date for grant approval would be 31 March, 2012;

11. To authorise the carrying out at the Council's expense in the first instance, with works necessary to comply with Serious Disrepair Notices, and to take appropriate action to recover the costs from the owners concerned, all subject to the maximum amount owing to the Council at any one time not exceeding £1million.

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Deleted: To approve or decline applications from tenants of Council houses for:
... (i) erection of lock-up garages
... (ii) installation of car runways
... (iii) erection of boundary enclosures including walls, fences, gates, etc
... (iv) erection of outbuildings including garden sheds, greenhouses and ... [5]

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Deleted: Adult Services requests for the division ... [10]

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