

Proposed amendments to the adopted scheme of delegation

	FUNCTION	EXERCISED BY
Anti-Social Behaviour, Crime and Disorder Act 2014 Functions		
Part 1 Injunctions		
	<p>Injunctions Application for Injunction / Interim injunction / Variation of Injunction / Discharge if injunction (Part 1 sections 5, 6, 7, 8)</p> <p>Arrest warrant and prosecution of injunction Application for arrest warrant and authority to prosecute (Part 1, section 10)</p> <p>Consultation on injunction Requirements to consult etc. (Part 1, section 14)</p>	<p>Head of Business Improvement, Central Services & Partnerships</p>
Part 2 Criminal Behaviour Orders		
	<p>Application for CBO, Interim order, variation, discharge Application for criminal behaviour order / interim order / Variation of order / Discharge of criminal behaviour order (Part 2 sections 23, 26, 27)</p> <p>Consultation with YOT prior to application for CBO on under 18's Requirement to consult with YOT if offender is under 18 (Part 2 section 29)</p> <p>Review of CBO's imposed on under 18's Duty to cooperate with chief officer of police in review of orders imposed on under 18's (Part 2 sections 28/29)</p>	<p>Head of Business Improvement, Central Services & Partnerships</p>
PART 4 CHAPTER 1 - COMMUNITY PROTECTION NOTICES		
	<p>Issuing and consulting on CPN's prior to service Power to issue community protection notices to persons over 16 or a body (Part 4 Chapter 1 section 53)</p> <p>Obligation to inform anybody or individual that the serving officer sees fit prior to issuing a community protection notice (Part 4 Chapter 1 section)</p>	<p>Head of Business Improvement, Central Services & Partnerships</p> <p>Head of Environmental Health</p> <p>All Environmental Health Officers and appropriately qualified Technical Staff (officer initiating CPN)</p>
	<p>Authority to take remedial action to comply with CPN</p> <p>Authority to undertake remedial action for failure to comply with a community protection notice section (Part 4 Chapter 1 section 47)</p>	<p>Head of Environmental Health</p> <p>Head of Business Improvement, Central Services & Partnerships</p>

Power of entry in respect of CPN Power of entry to undertake remedial action work under (Part 4 Chapter 1 section 47)	All Environmental Health Officers and appropriately qualified Technical Staff. And agents acting on behalf of the authority expressly authorised by the relevant Head of Service
Cost recovery for remedial action in default of CPN Issue of notice of costs to defaulter for remedial action (Part 4 Chapter 1 section 47)	Head of Service whose officers initiated remedial action
Prosecution proceedings in respect of CPN Authorisation of proceedings for failing to comply with a community protection notice (Part 4 Chapter 1 section 48)	Public Protection Committee
Remedial order Application to court for a remedial order (Part 4 Chapter 1 section 49)	Head of Business Improvement, Central Services & Partnerships
Seizing items involved in breach of CPN Seizure of items used in the commission of suspected offence under section 48 (Part 4 Chapter 1 section 51)	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
Fixed penalty notice for non-compliance with CPN Service of fixed penalty notice for offence of failing to comply with a Community Protection Notice which is an offence under section 48 (Part 4 Chapter 1 section 52)	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
PART 4 CHAPTER 2 PUBLIC SPACES PROTECTION ORDERS	
Making a PSPO Power to make Public Spaces Protection Orders (Part 4 Chapter 2 section 59)	Public Protection Committee
Publishing PSPO Publishing of Public Spaces Protection Order in accordance with regulations made by Secretary of State (Part 4 Chapter 2 section 59(8))	Head of Business Improvement, Central Services & Partnerships
Extension to PSPO Extension of Public Spaces Protection Orders beyond 3 years (Part 4 Chapter 2 section 60)	Public Protection Committee
Publishing extension to PSPO Publishing of extension to Public Spaces Protection Order in accordance with regulations made by Secretary of State (section 60(3))	Head of Business Improvement, Central Services & Partnerships
Variation and discharge of PSPO Variation and discharge of current Public Spaces Protection Orders (Part 4 Chapter 2 section 61)	Public Protection Committee
Publishing of variation or discharge of PSPO Publishing of variation to or discharge of Public Spaces Protection Order in accordance with regulations made by Secretary of State (Part 4 Chapter 2 section 61(5) /section 61(6))	Head of Business Improvement, Central Services & Partnerships
Power in relation to consumption of alcohol Power to require a person not to consume alcohol or to require surrender of alcohol or containers for alcohol contrary to requirements of public spaces protection order(Part 4 Chapter 2 section 63(2))	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
Authorisation of prosecution proceedings relating to PSPO for alcohol Authorisation of prosecution proceedings for failure to comply	Public Protection Committee

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	with a requirement to not to consume alcohol or to require surrender of alcohol or containers for alcohol Part 4 Chapter 2 section 63(6))	
	Authorisation of prosecution proceedings for failure to comply with PSPO Authorisation of prosecution proceedings for failure to comply with anything either prohibited or required by a public spaces protection order (Part 4 Chapter 2 section 67)	Public Protection Committee
	Fixed penalty notices for failing to comply with PSPO Power to issue a fixed penalty notice for offences of not complying with a public spaces protection order under section 63 (Consumption of alcohol in breach of an order) or section 67 (failing to comply with an order) (Part 4 Chapter 2 section 68)	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
	Convention rights, consultation, publicity and notification Duty to have regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights before making, extending, varying or discharging a public spaces protection order Duty to carry out consultation, publicity and notification before making, extending, varying or discharging a public spaces protection order	Head of Business Improvement, Central Services & Partnerships
	Part 4 Chapter 3 – CLOSURE OF PREMISES ASSOCIATED WITH NUISANCE OR DISORDER	
	Power to issue closure notices for up to 24 hours Power to issue closure notices for up to 24 hours where use of particular premises has resulted , or is likely to soon result in nuisance to members of the public or there has been or is likely soon to be disorder associated with the use of premises (Part 4 Chapter 3 section 76)	Chief Executive or person designated by him or her Head of Business Improvement, Central Services & Partnerships Head of Environmental Health
	Duty to consult prior to service of closure notice Duty to consult anybody or individual prior to service of closure notice (Part 4 Chapter 2 section 76(7))	Chief Executive or person designated by him or her Head of Business Improvement, Central Services & Partnerships Head of Environmental Health
	Power to extend closure notice beyond 24 hours to 48 hours (Part 4 Chapter 2 section 76(7))	Chief Executive or person designated by him or her
	Cancellation or variation of closure notice Power to vary or cancel a closure notice (Part 4 Chapter 3 section 78)	Officer who originally signed notice or in their absence the Chief Executive or person designated by him or her
	Power of court to make closure orders Application to a magistrates' court for a closure order within 48 hours of service of closure notice (unless closure notice has been cancelled) (Part 4 Chapter 3 section 80)	Head of Business Improvement, Central Services & Partnerships

	<p>Entry to premises to fix closure orders Fixing closure orders in at least one prominent place on premises, to each normal means of access and outbuildings which appear to be associated with premises. (Part 4 Chapter 3 section 79(2))</p>	<p>All Environmental Health Officers and appropriately qualified Technical Staff. And agents acting on behalf of the authority expressly authorised by the relevant Head of Service</p>
	<p>Extension of closure orders Application to the court for an extension of period of a closure order or further extension (Part 4 Chapter 3 section 82)</p>	<p>Head of Business Improvement, Central Services & Partnerships</p>
	<p>Discharge of closure orders Application to the court to discharge a closure order. (Part 4 Chapter 3 section 83)</p>	<p>Head of Business Improvement, Central Services & Partnerships</p>
	<p>Enforcement of closure orders Access to a premises etc. to enforce closure order, to secure premises against entry and carrying out essential maintenance or repairs. (Part 4 Chapter 3 section 85)</p>	<p>Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing</p>
	<p>Proceedings for breach of closure notice / order Application to court for prosecution for breach of closure order (Part 4 Chapter 3 section 86)</p>	<p>Public protection committee</p>

	FUNCTION	EXERCISED BY
	The Dangerous Dogs Act 1991	
	Section 5 Seizure / entry to premises and evidence	
	<p>Seizure of dangerous dogs in any place power of entry onto premises to seize a dangerous dog</p>	<p>Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing</p>