

# Public Document Pack



PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.

THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE IN THE COUNCIL CHAMBER BY NO LATER THAN 6.45PM.

## SUPPLEMENTARY AGENDA

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the **Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG** on **Wednesday, 16th May, 2018** at **7.00 pm**.

### BUSINESS

- |     |   |                 |
|-----|---|-----------------|
| 11a | ELECTION RESULTS 2018   | (Pages 5 - 8)   |
| 14a | ADOPTION OF THE CONSTITUTION  | (Pages 9 - 60)  |
| 15a | APPOINTMENT OF COMMITTEES, CHAIRS AND VICE-CHAIRS FOR 2018/19         | (Pages 61 - 66) |
| 16a | APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES                      | (Pages 67 - 74) |
| 19a | A500 WIDENING - LAND NORTH OF DOMVILLES FARM, AUDLEY PARISH - 348/241 | (Pages 75 - 76) |

Yours faithfully

A handwritten signature in blue ink, appearing to read 'J. Tradenell'.

Acting Chief Executive / Head of Paid Service

## **NOTICE FOR COUNCILLORS**

### **1. Fire/Bomb Alerts**

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect personal belongings, do not use the lifts.

Fire exits are to be found either side of the rear of the Council Chamber and at the rear of the Public Gallery.

On exiting the building Members, Officers and the Public must assemble at the car park at the rear of the Aspire Housing Office opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

### **2. Attendance Record**

Please sign the Attendance Record sheet on entering the building. This will be located at the Porter's lodge.

### **3. Mobile Phones**

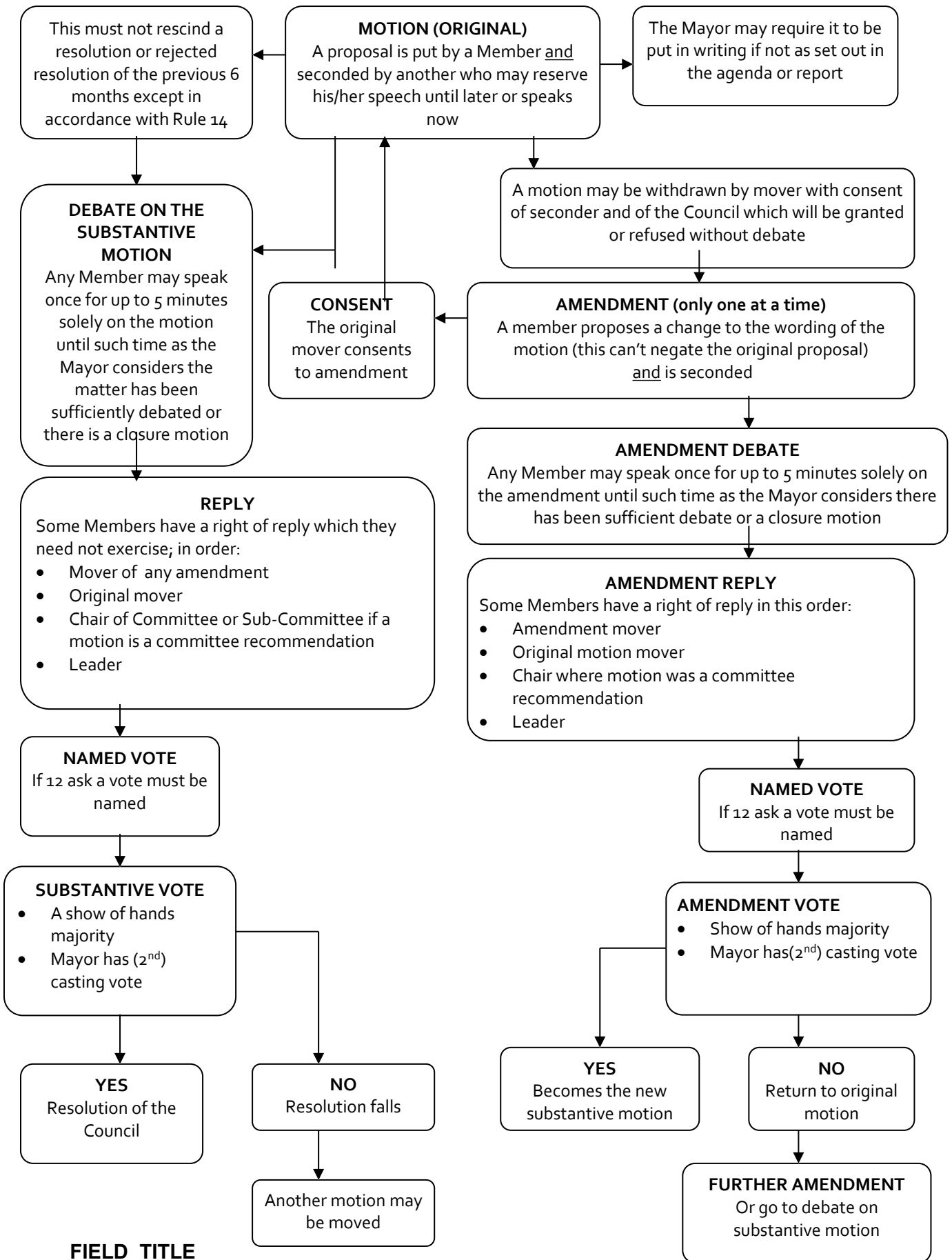
Please switch off all mobile phones before entering the Council Chamber.

### **4. Tea/Coffee**

Refreshments will be available at the conclusion of the meeting, or in the event of a break occurring, during that break.

### **5. Notice of Motion**

A Notice of Motion other than those listed in Standing Order 19 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section 5, Standing Order 20 of the Constitution of the Council.



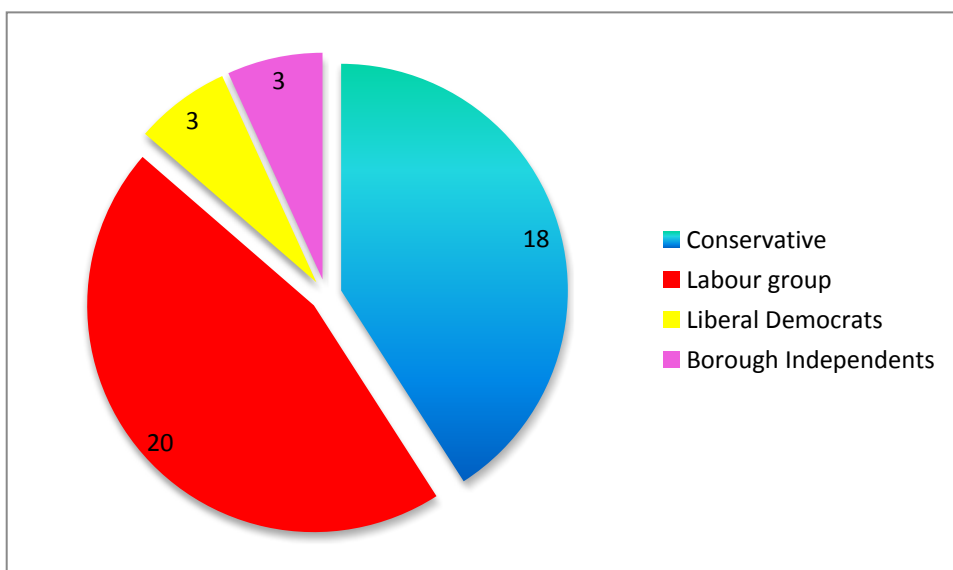
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Table 1: Seats and votes won by each party

Party name	Seats won	Percentage of votes
Conservative	18	43%
Labour and Co-operative Party	11	12%
Labour	9	28%
Liberal Democrats	3	5%
Independents	3	9%
Green	0	1%
UKIP	0	1%

Figure 1: Seats won by each party



### Election summary

Ward name	Elected Candidate	Elected Party
Audley	Sue Moffat	Labour
	Ian Wilkes	Liberal Democrat
	Bert Proctor	Independent
Bradwell	Jennifer Cooper	Conservative
	Annabel Driver	Labour
	Andrew Fox-Hewitt	Labour
Clayton	Stephen Sweeney	Conservative
Crackley and Red Street	Allison Gardner	Labour

	Sarah Pickup		Labour
Cross Heath	Gillian Williams		Labour and Co-operative
	John Williams		Labour and Co-operative
Holditch and Chesterton	Emily Horsfall		Labour and Co-operative
	Christopher Spence		Labour and Co-operative
Keele	Tony Kearon		Labour and Co-operative
Kidsgrove and Ravenscliffe	Gill Burnett		Conservative
	Silvia Burgess		Labour
	Helena Maxfield		Conservative
Knutton	Brian Johnson		Labour and Co-operative
Loggerheads	Paul Northcott		Conservative
	Barry Panter		Conservative
Madeley and Betley	Simon White		Independent
	Gary White		Independent
Maer and Whitmore	David Harrison		Conservative
May Bank	John Tagg		Conservative
	Trevor Johnson		Conservative
	John Cooper		Conservative
Newchapel and Mow Cop	Jill Waring		Conservative
	Paul Waring		Conservative
Silverdale	Amelia Rout		Labour and Co-operative
	David Jones		Labour and Co-operative
Talke and Butt Lane	Kyle Robinson		Labour and Co-operative
	Sylvia Drummond		Labour and Co-operative
	Michael Stubbs		Labour and Co-operative
Thistleberry	Marion Reddish		Liberal Democrats
	June Walklate		Liberal Democrats
Town	Ruth Wright		Labour
	Elizabeth Shenton		Labour
Westbury Park and Northwood	Andrew Parker		Conservative

	Andrew Fear		Conservative
Westlands	Simon Tagg		Conservative
	Gillian Heesom		Conservative
	Mark Holland		Conservative
Wolstanton	Julie Cooper		Conservative
	Mark Olszewski		Labour

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**HEADING**                      **Public Protection Committee Arrangements**

**Submitted by:**              **Head of Environmental Health**

**Portfolio:**                      **Finance & Resources**

**Ward(s) affected:**      **All**

**Purpose of the Report**

To consider proposals relating to the creation of a Licensing and Public Protection Committee and a Public Protection Sub-Committee and to review the arrangements for these-committees and associated delegations.

**Recommendations**

That a Licensing and Public Protection Committee and a Public Protection Sub-Committee be created for the purpose set out in the report and that the detailed delegations referred to be approved.

**Reasons**

Committee business particularly in respect of the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 has increased significantly (there being 12 meetings during the last financial year compared to the scheduled number which has, typically, been up to 6 meetings per year) and therefore a review of arrangements has been undertaken to determine whether these matters can be dealt with more effectively by a sub-committee with specific delegated responsibilities. Such changes would then facilitate Licensing and Public Protection combining.

1.      **Background**

- 1.1      The Council's Public Protection Committee has many delegated functions including the review of hackney carriage and private hire drivers, vehicles and operators which are not in full compliance with the Council's current 'Taxi and Private Hire Policy 2015'.
- 1.2      In 2014, the LGA Peer Review looked at the Council's committee arrangements. One recommendation was that Public Protection Committee and Licensing Committee should be amalgamated. There are however some distinct legal difference between the two committees, so although not amalgamated there was a desire that these meetings would be held sequentially. Unfortunately due to the amount of business this has not been feasible.
- 1.3      Members will note that the Licensing Committee is supported by a Licensing Sub-Committee; this arrangement is detailed in the Licensing Act 2003 and has been operational in that format since 2005.
- 1.4      In view of the above a review of the current arrangements has therefore been undertaken.

2.      **Issues**

- 2.1      The business for Public Protection Committee has increased significantly in the past couple of years. Meetings are held approximately every 4-6 weeks, with very full agendas and the meetings regularly ending between 9pm and 10pm.

- 2.2 A significant part of the committee business is the determination of Hackney Carriage and Private Hire Driver and Vehicle Licenses.
- 2.3 Some feedback has been received from applicants regarding the wait time at committee and also that it is very daunting presenting to a full councillor committee.
- 2.4 Comments have also been received from some Committee members regarding the length of the agenda and the duration of meetings.

### 3. **Options Considered**

- 3.1 There are a number of options that could be considered including:
  - 3.1.1 OPTION ONE – Make no changes and retain the existing Public Protection and Licensing committee arrangements.
  - 3.1.2 OPTION TWO – Make no changes to the Public Protection committee but increase the frequency of meetings.
  - 3.1.3 OPTION THREE – Change the committee arrangements to combine Licensing and Public Protection committees.

### 4. **Proposal**

- 4.1 It is your officer's recommendation that Option 3 is the preferred arrangement. In summary the proposed changes would include:
  - 4.1.1 Creation of a Licensing and Public Protection Committee (operating in two separate parts for Licensing and Public Protection Matters)
  - 4.1.2 Creation of a Public Protection Sub-Committee with powers to deal with taxi driver, vehicle and operator licenses and issues.
  - 4.1.3 Amendment to Public Protection Committee's scheme of delegation to allow for the delegation of powers to the Public Protection Sub-Committee and powers to determine prosecutions to officers.
  - 4.1.4 Creation and updated terms of reference and procedure for the committees.
- 4.2 Should members agree to this proposal the following specific more detailed arrangements are detailed below.

#### 4.3 **Constitution/Terms of Reference:**

- 4.3.1 The Council's Constitution and terms of reference for the Committees would require amendment to take into account the creation of a combined Licensing and Public Protection Committee and a Public Protection sub-committee The Terms of reference for a Licensing and Public Protection Committee have been updated and are attached at Appendix A.
- 4.3.2 Terms of reference for the Public Protection Sub-Committee are attached at Appendix B.

#### 4.4 **Scheme of delegation:**

- 4.4.1 The Council's scheme of delegation would require amendment to take into account the creation of a Public Protection sub-committee and specifically detail what matters

can be dealt with; this would include the consideration of applications for a new licence, a renewal licence or enforcement of a licence where an officer has determined these applications are not in compliance with the Council's Policy.

**4.5** The scheme of delegation for the Public Protection committee will also require amendment to take into account the functions that are delegated to it from the wider Environmental Health Service as it will be meeting less frequently. It is therefore proposed to change the scheme of delegation for the approval of prosecution proceedings to Executive Director Regeneration & Development and Head of Environmental Health Services. These amendments are detailed in appendix C.

**4.6 Meeting arrangements:**

4.6.1 It is proposed that the sub-committee arrangements are as follows:

- a. Meeting Members 3 to 5 Councillors
- b. Meeting Quorums 3
- c. Meeting Frequency – as required
- d. Meeting notification and publication of papers – 5 working days prior
- e. Meeting Times – During working day (9am to 5pm)

**4.7 Procedures:**

4.7.1 The 'procedure to be followed by Public Protection Committee in determining Hackney Carriage and Private Hire Licences' (as published in the front of every agenda) will be amended in title from Public Protection Committee will be replaced by Public Protection & Sub-Committee.

4.7.2 The procedure will also be amended at bullet point 4 from 14 days to 5 days so that the Sub-Committee can be more responsive to applications.

4.7.3 The amended document is attached as Appendix D.

**5. Reasons for Preferred Solution**

5.1 To enable Committee to determine applications in the most efficient, effective and practical manner.

5.2 To ensure that the Council continues to provide safe transport for those wishing to use Private Hire and Hackney Carriage vehicles.

**6. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

6.1 In line with the Council's objectives –

- Promoting a cleaner, safer and sustainable Borough
- Promoting a Borough of Opportunity

**7. Legal and Statutory Implications**

7.1 The Local Government Act 1972, section 101 allows the Council to arrange for a Committee, Sub-Committee or an officer or another local authority to carry out its powers and duties.

8. **Equality Impact Assessment**

- 8.1 The meetings will be undertaken to accord with the Human Rights Act 1998, Article 6(1) guarantees an applicant a fair hearing and Article 14 guarantees no discrimination.

9. **Financial and Resource Implications**

- 9.1 There will be no direct financial costs associated with the proposals. The proposals should however result in savings through not having to call as many full committee meetings.

- 9.2 There will be resource implication including Member participation in the sub-committees and officer support from Environmental Health, Legal and Democratic services. Although there may be an increase in resource during the day time period when the sub-committee meetings are held there should also be a reduction in the number and duration of full Public Protection committees during the evening. This net reduction will then enable the LGA Peer review's recommendation for Licensing and Public Protection committees to be combined.

10. **Major Risks**

- 10.1 There are no major risks associated with this report

11. **Earlier Cabinet/Committee Resolutions**

- 11.1 Public Protection Meeting 14<sup>th</sup> July 2016 minute number 11

## Appendix A

### Licensing & Public Protection Committee – Proposed Terms of Reference

The Licensing & Public Protection Committee will be held in two parts, the first part as a Licensing Committee and the second part as a Public Protection Committee.

#### Licensing:

To deal with all matters under the Licensing Act 2003 and Gambling Act 2005 delegated from Full Council including:

1. With the exception of the Councils Licensing policy statements under the Licensing Act 2003 and Gambling Act 2005 (upon which it will advise), the licensing committee shall from time to time determine its policy relating to licensing matters after it has consulted with such parties as the law may require and/or whom it considers to be appropriate and it shall cause that policy to be published.
2. The Licensing Committee may, from time to time, establish conditions to the extent permitted by the law governing the administration of licensing matters, the conduct and behaviour of licence holders and for technical requirements and specifications, licensed premises and vehicles.
3. The Committee shall have delegated powers to consider all applications for licenses or permissions issued on behalf of the Council, including attaching conditions thereto, to consider and determine all applications for review, continuation, transfer, variation, renewal, suspension, closure orders, forfeiture or revocation of all licenses and permissions issued by or on behalf of the Council, including attaching conditions thereto and to consider appeals against terminations or tenancy at will.
4. The Committee shall, from time to time, receive reports on the cultural, economic and tourism impact of its work and it shall from time to time, as required by law or as it considers appropriate, make reports of its activity to Cabinet, overview and scrutiny committee and Planning Committee.
5. The committee may from time to time and to the extent permitted by the law, delegate any of its functions in paragraph 3 above to a body comprising of not less than 3 elected members drawn from members of the committee, to be known as a licensing panel (sub-committee), a quorum for such panel to being three members. The committee may establish more than one panel and membership of the panel(s) may be rotated as necessary amongst members of the Committee.
6. The committee may from time to time and to the extent permitted by the law, delegate any of its functions in paragraph 3 above, to be discharged by an Executive Director. The Executive Director may delegate such powers, duties, responsibilities and functions as he considers appropriate, and to the extent permitted by the law, to officers of the Council.

#### Public Protection Committee:

The Public Protection Committee will have the following roles and functions:

- a. To exercise the powers and duties of the Council in relation to licensing and registration functions.
- b. To exercise and perform the powers and duties of the Council in relation to the following matters:
  - (1) Food Safety and Control

To ensure that all food prepared, manufactured, processed and sold within the Borough is produced in safe and hygienic conditions.
  - (2) Occupational Health and Safety

To ensure that persons working in premises which fall within the area of responsibility of the Borough Council, do so in a safe and healthy environment.
  - (3) Infectious Disease Control

To control and prevent the spread of specified infectious diseases.
  - (4) Water Supply

To ensure that all residents in the Borough are provided with a constant supply of wholesome and potable water.
  - (5) Swimming Baths

To monitor and control the quality of bathing water.
  - (6) Health Education and Promotion

To promote awareness of health matters to residents of the Borough.
  - (7) Animal Welfare

To ensure that, where animals are bred, boarded, sold or used in any other way, they are cared for in a humane manner.
  - (8) Pest Control

To control infestations within the Borough by rats and mice, to remedy the existence of verminous premises, persons or articles, and to control insect pests of public health significance in premises.
  - (9) Sunday Trading

To implement the Sunday Trading Act 1994.

(10) Atmospheric Pollution Control

To protect and improve local air quality management including statutory nuisances and the pollution prevention control regime and Local Air Quality monitoring and management.

(11) Nuisance

To protect the local environment by the control of public and statutory nuisances including noise sources and the promotion of awareness of the need to create or allow Nuisance including excessive noise.

(12) Anti-Social Behaviour (ASB)

To control anti-social behaviour and to determine Public Spaces Protection Orders.

(13) Control of Dogs

To promote responsible dog ownership within the Borough.

(14) Asbestos Removal

To eliminate environmental hazards associated with asbestos.

(15) Contaminated and Derelict Land (including Landfill Sites)

To ensure that material identified as being present on land in the Borough do not cause a hazard to health or nuisance to neighbouring properties and that any development provides a safe and healthy environment for occupation and use; and to promote the reclamation of derelict land.

(16) Pollution Monitoring

To identify the presence of pollutants within the environment both generally and in relation to specific sources.

(17) Environmental Impact Assessments

To assess potential environmental impacts from new developments in the Borough.

(18) Environmental Enforcement

To prevent the unauthorised and improper disposal of waste within the Borough and enviro-crime activities.

(19) Housing

To review housing conditions throughout the Borough and initiate action in relation to nuisance disrepair, improvement, clearance and demolition; and to administer renovation grants.

(20) Camping and Caravan Site

To control camp and caravan sites.

(21) Licensing and Registration

To exercise powers and duties in relation to all licensing and registration excluding those matters which relate to the Licensing Act 2003 and the Gambling Act 2005 delegated to the Licensing Committee.

To discharge any other function where an officer has decided not to exercise their delegated authority and has referred the matter to the Public Protection Committee for determination.



Terms of reference

### **Public Protection Sub Committee**

The Public Protection Sub Committee will have the following roles and functions:

To exercise the powers and duties of the Council in relation to Hackney Carriage and Private Hire functions in relation to the following matters:

1. Hackney Carriage and Private Hire
  - A. To determine an application for:
    - a. a new licence,
    - b. a renewal licence or;
    - c. enforcement of a licence
  - B. To determine an application for a Driver's licence, an operator's licence, or a proprietor's vehicle licence where an officer has determined that these applications are not in compliance with the Council's Policy and has decided not to exercise their delegated authority and referred the matter to the Public Protection Sub Committee.
2. To discharge any other function referred by the Public Protection Committee including making representations to the Public Protection Committee in connection with the discharge of its functions.

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## Delegation of Environmental Health &amp; Licensing Decisions:

May 2018

	Legislation	Function	Exercised by	Proposed Change, May 2018	
1	<b>Animals Act 1971</b>	Power of local authorities in England to detain horses Sec. 7(A)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff		
2	<b>Animal Boarding Establishments Act 1963</b>	To appoint and authorise named staff under Sec 2(1) of the 1963 Act	Executive Director (Regeneration and Development) or Head of Environmental Health Services		
3		Grant, renewal or refusal of licence and service of notices of contravention	Executive Director (Regeneration and Development) or Head of Environmental Health Services		
4		Power to enter premises to inspect	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff		
5	<b>Animal Welfare Act 2006</b>	To appoint named inspectors for the purpose of the 2006 Act (Sec 51)	Executive Director (Regeneration and Development) or Head of Environmental Health Services		
6		Service of Improvement Notices (Sec.10)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and named inspectors		
7		Powers in relation to Animals in Distress (Sec.18)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and named inspectors		
8		Power of entry, by reasonable force if necessary, and to obtain Warrant if appropriate (Sec. 19)	All Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff, dog wardens and any veterinary surgeon retained or employed for the time being		
9		Application to Court for disposal of animal taken into procession under sect 18 (Sec.20)	Executive Director (Regeneration and Development) or Head of Environmental Health Services		
10		Power to require production of Licence records (Sec.25)	Executive Director (Regeneration and Development) or Head of Environmental Health Services		
11		Inspection in respect of Licensing (Sec.26)	All Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff, dog wardens and any veterinary surgeon retained or employed for the time being		
12		Inspection in respect of Registration (Sec.27)	All Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff, dog wardens and any veterinary surgeon retained or employed for the time being		
13		Power of Local Authority to prosecute offenders (Sec.30)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
14		<b>The Animal By-products (Enforcement) (England) Regulations 2011</b>	Authorised persons and powers of entry and additional powers Reg. 22 &23	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
15			Service of notices under Regs. 25 & 26	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

	Legislation	Function	Exercised by	Proposed Change, May 2018
16	<b>Anti-social Behaviour Act 2003</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17		Investigation of noise at night complaints (Sect.42(3)(1))	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
18		To appoint & authorise appropriate groups of officers by designation to perform associated duties	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
19		<u>Part 1 Injunctions</u>		
20		Application for Injunction / Interim injunction / Variation of Injunction / Discharge if injunction (Part 1 sections 5, 6, 7, 8)	Chief Executive or Head of Environmental Health	
21		Arrest warrant and prosecution of injunction Application for arrest warrant and authority to prosecute (Part 1, section 10)	Chief Executive or Head of Environmental Health	
22		Consultation on injunction Requirements to consult etc. ( Part 1, section 14)	Chief Executive or Head of Environmental Health	
23		<u>Part 2 Criminal Behaviour Orders</u>		
24		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 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) 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)	Chief Executive or Head of Environmental Health	
25		<u>Part 4 – Chapter 1 Community Protection Notices</u>		
26		Power to issue community protection notices to persons over 16 Sect. 43 or a body (Part 4 Chapter 1 section 53) Obligation to inform anybody or individual that the serving officer sees fit prior to issuing a community protection notice (Part 4 Chapter 1 section 43(6) )	Chief Executive and Head of Environmental Health and All Environmental Health Officers and appropriately qualified Technical Staff	
27		Power of entry into unoccupied premises, or where proper name and address of occupier cannot be established, to post notice on the premises (sect 45)	Chief Executive and Head of Environmental Health and All Environmental Health Officers and appropriately qualified Technical Staff	
28		Authority to undertake remedial action for failure to comply with a community protection notice section (Part 4 Chapter 1 section 47)	Chief Executive or Head of Environmental Health	
29		Power or entry - remedial action in respect of community protection notice Sect. 47	Chief Executive and Head of Environmental Health and All Environmental Health Officers and appropriately qualified Technical Staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
30	Issue of notice of costs to defaulter for remedial action (Part 4 Chapter 1 section 47)	Head of Service whose officers initiated remedial action	
31	Authorisation of proceedings for failing to comply with a community protection notice (Part 4 Chapter 1 section 48)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
32	Application to court for a remedial order (Part 4 Chapter 1 section 49)	Chief Executive or Head of Environmental Health	
33	Seizure of items used in commission of offence where warrant issued Sect 51.	Chief Executive and Head of Environmental Health and All Environmental Health Officers and appropriately qualified Technical Staff	
34	Issue fixed penalty for non-compliance with Community Protection Notice Sect. 52	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	
35	Power to make Public Spaces Protection Orders (Part 4 Chapter 2 section 59)	Public Protection Committee	Public Protection Committee
36	Publishing of Public Spaces Protection Order in accordance with regulations made by Secretary of State (Part 4 Chapter 2 section 59(8))	Chief Executive or Head of Environmental Health	
37	Extension of Public Spaces Protection Orders beyond 3 years (Part 4 Chapter 2 section 60)	Public Protection Committee	Public Protection Committee
38	Publishing of extension to Public Spaces Protection Order in accordance with regulations made by Secretary of State (section 60(3))	Chief Executive or Head of Environmental Health	
39	Variation and discharge of current Public Spaces Protection Orders (Part 4 Chapter 2 section 61)	Public Protection Committee	Public Protection Committee
40	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))	Chief Executive or Head of Environmental Health	
41	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	
42	Authorisation of prosecution proceedings for failure to comply 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))	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
43	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	Executive Director (Regeneration and Development) or Head of Environmental Health Services
44	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	

Legislation	Function	Exercised by	Proposed Change, May 2018
45	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	Chief Executive or Head of Environmental Health	
46	Duty to carry out consultation, publicity and notification before making, extending, varying or discharging a public spaces protection order		
46	Closure of premises associated with nuisance or disorder: Closure Notice for up to 24hrs Sect.76	Chief Executive or person designated by him/her, Head of Environmental Health	
47	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/her, Head of Environmental Health	
48	Power to extend closure notice beyond 24 hours to 48 hours (Part 4 Chapter 2 section 76/77)	Chief Executive or person designated by him/her, Head of Environmental Health	
49	Power to vary or cancel a closure notice Sect. 78	Officer who originally signed notice, or in their absence Chief Executive or person designated by him/her	
50	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. (with entry if required Sec 79(4))Part 4 Chapter 3 section 79(2))	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	
51	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)	Chief Executive or Head of Environmental Health	
52	Application to the court for an extension of period of a closure order or further extension (Part 4 Chapter 3 section 82)	Chief Executive or Head of Environmental Health	
53	Application to the court to discharge a closure order. (Part 4 Chapter 3 section 83)	Chief Executive or Head of Environmental Health	
54	Access to a premises etc. to enforce closure order, to secure premises against entry and carrying out essential maintenance or repairs Sect. 85	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	
55	Application to court for prosecution for breach of closure order (Part 4 Chapter 3 section 86)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
56	<b>Breeding and Sale of Dogs (Welfare) Act 1999</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services
57	Power to inspect Sect. 1(2) (a)&(b)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
58	Power to grant licence	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
59	<b>Breeding of Dogs Act 1973</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services

Legislation	Function	Exercised by	Proposed Change, May 2018
60	Grant, renewal or refusal of licence and service of notices of contravention	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
61	Power to enter premises to inspect	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
62	<b>Breeding of Dogs Act 1991</b> To appoint and authorise appropriate named staff members under Sec. 2(1) of the 1973 Act	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
63	Power to inspect unlicensed premises	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
64	<b>Building Act 1984</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
65	Powers in respect of Drainage (Sect.59 – 63)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing and all Environmental health Officers and appropriately qualified technical staff	
66	Provision of Sanitary Conveniences (Sect.64-68)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing and all Environmental health Officers and appropriately qualified technical staff	
67	Defective Premises & Demolition etc. (Sect. 76 – 79)	Executive Director (Regeneration and Development) or Head of Housing	
68	Power to serve notice about demolition (Sections 81 and 82)	Executive Director (Regeneration and Development) or Head of Housing	
69	Power to serve notice in respect of paving / drainage of yards and passages (Sections 84 and 85) Drainage of yards and passages (Sections 84 and 85)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing and all Environmental Health Officers and appropriately qualified technical staff	
70	Power to enter premises to inspect (Sect. 95 & 96) (inc. warrant)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing and all Environmental Health Officers and appropriately qualified technical staff	
71	To prosecute offences under the Act (Sect. 113),	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing, Regeneration & Asset Services
72	<b>Caravan Sites Act 1968</b> To exercise the Council's powers under the Caravan Sites Act 1968	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Housing, Regeneration & Asset Services
73	<b>Caravan Sites and Control of Development Act 1960</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Housing	
74	Issue of site licence and conditions (Sections 3-5)	Executive Director (Regeneration and Development) or Head of Housing and all Environmental Health Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
75	Power of local authority to alter conditions attached to a site licence (sec 8)	Executive Director (Regeneration and Development) or Head of Housing and all Environmental Health Officers and appropriately qualified technical staff	
76	Provisions as to breaches of condition (sec 9)	Executive Director (Regeneration and Development) or Head of Housing and all Environmental Health Officers and appropriately qualified technical staff	
77	Power to inspect land etc.	Executive Director (Regeneration and Development) or Head of Housing and all Environmental Health Officers and appropriately qualified technical staff	
78	<b>Clean Air Act 1968</b>	Approval or refusal of chimney heights (Sect.6)	Executive Director (Regeneration and Development) or Head of Environmental Health Services
79	<b>Clean Air Act 1993</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services
80	Powers in relation to offences involving Dark Smoke, Grit and Dust (Sect.1,2,4 &5)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
81	Approval of furnaces and grit and dust arrestment plants (Sections 3,6 & 7)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
82	Requests for information (Sect.8)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
83	Powers in relation to the measuring (Sec 10,11&12) (inc. requiring work in default)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
84	Approval or refusal of chimney height (Sec 14,15&16)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
85	Declaration of Smoke Control Areas by Order (Sect.18)	Public Protection Committee	Public Protection Committee
86	Instigate proceedings for offence of emission of smoke in a controlled area (S 20 & 23)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
87	Require adaptation of fireplaces in private dwellings (Sect. 24)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
88	Issue grants for adaptations (Sect. 26)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
89	Powers to investigate in relation to sampling and analysis of the sulphur content of oil fuel (Sect. 31 & 32)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
90	Power to investigate in relation to Cable Burning offences (Sect. 33)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
91	Power to commence proceedings (Sect. 33) (cable burning)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	



Legislation	Function	Exercised by	Proposed Change, May 2018
92	Power to require information in respect of emissions and associated powers of entry (Sect. 35, 36 & 58)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
93	Duty of Local Authority to advise occupiers of offences (Sect. 51)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
94	Power to instigate proceedings to prosecute (Sect.55)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
95	Power of entry and inspection (Sect. 56)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
96	<b>Clean Neighbourhoods &amp; Environment Act 2005</b> To appoint and authorise appropriate named staff members	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
97	<u>Part 2 Vehicles</u>		
98	Authority to prosecute offences under Sect.3 or 4 of the Act (sale / repairs to vehicles on the highway)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
99	Power to issue a fixed penalty notice in respect of nuisance parking offences under Sect.3 or 4 of the Act (Sect.6)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
100	Power to require name and address for the service of a fixed penalty notice under Sect.6 of the Act (Sec.7)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
101	Authority to prosecute offences relating to the provision of false details (Sect. 7.2)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
102	Actions in respect of Abandoned Vehicles (Sect. 10-14)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
103	<u>Part 3 Litter &amp; Refuse</u>		
104	Actions in respect of dropping litter and free distribution of printed material (Sect. 18-27) [Sect 20(2), 21, 22 Repealed]	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
105	<u>Part 4 Graffiti and other defacement</u>		



Legislation	Function	Exercised by	Proposed Change, May 2018
12 0	To carry out functions under the Act (Sect.5 and 5A) Transport of controlled waste - stop and search	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
12 1	Power to issue a fixed penalty notice for failure to produce authority to transport waste (Sect.5B)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
12 2	Power to obtain a warrant to seize a vehicle and its contents where the vehicle is believed to have been used in the commission of a relevant waste offence	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
12 3	<b>Control of Pollution Act 1974</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
12 4	Notices to control noise on construction sites (Sect.60)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
12 5	Prior consent for works on construction sites (Sect.61)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
12 6	Action in respect of Loudspeakers in the street (S 62)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
12 7	Prosecution Powers (Sect. 62)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
12 8	Register of noise levels (Sect.64)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
12 9	Register of noise levels (Sect.64). Taking and recording of measurements		
13 0	Notices re noise exceeding registered level (Sect.65)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
13 1	Notices re reduction of noise levels (Sect.66)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
13 2	Measurement and recording of emissions (Power of Entry) (Sect.79) information and returns (Sect.80)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
13 3	<b>Control of Pollution Act 1974</b> All powers of entry (inc. S 91)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
13 4	<b>Dangerous Dogs Act 1991 (as amended)</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
13 5	Collection of evidence in respect of Sect.1 dogs, and Sect.3 dogs not kept under proper control.	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
13 6	Seizure of dangerous dogs (Sect.5) (as amended by Sec.106 ABCP Act 2014)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
13 7	Approval to commence proceeding by application to Magistrates Court	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
13 8	<b>Dangerous Wild Animals Act 1976</b> To appoint and authorise appropriate named staff members to perform the duties of Inspectors (Sect. 3(1))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
13 9	Grant, renewal or refusal of licence (Sect.1)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
14 0	Instigate action in respect of contravention (Sect. 2(6))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
14 1	Power to enter premises to inspect (Sect. 3(1))	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff and any veterinary surgeon retained or employed for the time being	
14 2	Power to Seize animals (Sect. 5)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
14 3	<b>Deer Act 1991 (as amended 2007)</b> Power to inspect etc. Control of culling etc.	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
14 4	<b>Enterprise and Regulatory Reform Act 2013</b> <b>Order made in exercise of powers conferred by the act.</b> The Redress Schemes for Letting Agency Work and Property Management Work (Requirement to belong to a scheme etc.) Order 2014 Part 4 Enforcement (s 7-10)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
14 5	<b>Environment Act 1995</b> To appoint and authorise appropriate named staff members as inspecting officers (Sect. 108)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
14 6	The exercise of powers of persons authorised by an enforcing authority under section 108(4)(a) to(m) and any subsequent amendments & schedule 18 supplemental provisions relating to powers of entry	Executive Director (Regeneration and Development) or Head of Environmental Health Services, all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
14 7	To undertake air quality monitoring	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
14 8	All proceedings (Air Quality to inc. designation of AQMAs) Part IV – Air Quality	Public Protection Committee	Public Protection Committee
14 9			
15 0	Designation of an Air Quality Management Area by Order, Variation of an Air Quality Management Area Order and Revocation of an Air Quality Management Area Order (Sect.83)	Cabinet and Public Protection Committee	Public Protection Committee

	Legislation	Function	Exercised by	Proposed Change, May 2018
15 1	<b>Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Reg.. 2006</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
15 2		Exercising powers in respect of Clean Neighbourhood & Env Act, Noise Act 1996, and Env Protection Act 1990	Executive Director (Regeneration and Development) or Head of Environmental Health Services, all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
15 3	<b>The Environmental Permitting (England and Wales) Regulations 2016</b>	Grant of an Environmental permit (Regulation 13)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
15 4		Consolidation of an environmental permit (Regulation 18)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
15 5		Variation of an environmental permit (Regulation 20)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
15 6		Transfer of an environmental permit (Regulation 21)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
15 7		Revocation of an environmental permit: general (Regulation 22)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
15 8		Issue of certificate of satisfaction (Regulation 23(6))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
15 9		Variation of permit partial surrender notice (Regulation 24(5)(6)(7))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
16 0		Standard rules as a condition of a permit (Regulation 27)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
16 1		Notification of revisions of standard rules (Regulation 28)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
16 2		Variation of an environmental permit: revocation of standard rules (Regulation 30)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
16 3		Discharge of functions (Regulation 32(5)(6)(7))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
16 4		Review of environmental permits and inspection of regulated facilities (Regulation 34)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
16 5		Enforcement notices (Regulation 36)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
16 6		Suspension notices (Regulation 37)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
16 7		Instigation of prosecution proceedings for offences (Regulation 38)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
16 8		Enforcement by the High Court (Regulation 42)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
16 9		Duty to maintain a public register (Regulation 46)	Executive Director (Regeneration and Development)	
17 0		Exclusion from public registers of confidential information (Regulation 48)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	

Legislation	Function	Exercised by	Proposed Change, May 2018
17 1	Procedure if the regulator considers that information may be confidential (Regulation 49)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 2	Duty to determine confidentiality (Regulation 50)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 3	Procedure following a determination (Regulation 52)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 4	Reconsideration of confidentiality (Regulation 55)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 5	Power of the regulator to prevent or remedy pollution (Regulation 57)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 6	Power of the regulator to prevent or remedy effects of flood risk activities (Regulation 58)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 7	Appropriate agency: notices in relation to emissions to water (Regulation 59)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 8	Power to require the provision of information (Regulation 61)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
17 9	Reference of applications to an appropriate authority (Regulation 63)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
18 0	Revocation or suspension of permit for non-payment of charges (Regulation 66(5))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
18 1	<b>Environmental Protection Act 1990</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties. (except Part III) <u>Part II Waste On Land</u>	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
18 2			
18 3	Power to prohibit unauthorised / harmful treatment / disposal of waste. (Sect. 33)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
18 4	Issuing of Fixed Penalties for contravention of Sec. 33(1)(a) Sec. 33ZA	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
18 5	Investigation of duty of care (Sect.34 & 34A)	Issuing of Fixed Penalties for contravention of Sec. 33(1)(a) Sec. 33ZA	
18 6	Instigation of proceedings for failure to comply with Duty of Care (Sect. 34(6))	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
18 7	Power to serve a fixed penalty notice for failure to furnish documentation (waste carrier's licence) (Sect.34A(2))	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
18 8	Power to search and seize vehicles etc. 34B and Seizure of vehicles etc: supplementary 34C	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	

Legislation	Function	Exercised by	Proposed Change, May 2018
18 9	Proceeding in respect of offences under 34B (7) or (9) - failure to give assistance / obstruction and provision of information inc. name and address	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
19 0	Collection, disposal or treatment of controlled waste (Sect.45-50) inc. amendments of the Deregulation Act 2015 (Sec.46A)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
19 1	Setting of fixed penalty sum for failing to comply with receptacle for household waste requirements. Sec. 46B	Public Protection Committee	Public Protection Committee
19 2	Power to require removal of unlawful waste deposits (Sect.59, & 59ZA)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
19 3	<u>Part III Nuisances</u>		
19 4	To appoint and authorise appropriate named staff members	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
19 5	Duty to serve notice in respect of statutory nuisances (Sect.80)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
19 6	Instigate proceedings for contravention of abatement notice (S, 80 (4))	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
19 7	Power to serve notice in respect of statutory nuisance outside local authority area (Sect.81(2))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
19 8	Power to authorise work in default (Sect.81(3))	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
19 9	Power of entry etc. (Sect.81(7) and Sch.3)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
20 0	<u>Part IV Litter</u>		
20 1	Authority to prosecute for failure to provide proper receptacles for household, commercial and industrial waste (Sections 46 & 47)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
20 2	Power to serve a fixed penalty notice in relation to waste receptacles (Sect.47ZA (2))	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	

Legislation	Function	Exercised by	Proposed Change, May 2018
20 3	Prosecute for offence of leaving litter (Sect 87) Litter control areas (Sect.90)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
20 4	Power to serve a fixed penalty notice for littering (Sect.88(1))	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
20 5	Powers in relation to Abandoned Shopping and Luggage trolleys (Sect. 99) (Schedule 4)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
20 6	<u>Part VIII Miscellaneous</u>		
20 7	<u>Control of Dogs</u>		
20 8	To appoint and authorise appropriate named staff members to discharge stray dog functions (Sect.149)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
20 9	Seizure of Stray Dogs (Sect. 149)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
21 0	Arrangements to facilitate Stray Dogs (Sect. 150)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
21 1	Enforcement of Orders in respect of Collars and Tags (Sect. 151)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
21 2	Identification of contaminated land and the giving of notice (Sect.78B)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
21 3	Identification and designation of special sites (Sect.78C)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
21 4	Research, inspections and analysis to enable identification and designation of contaminated land	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
21 5	Referral of special site decisions to the Secretary of State (Sect.78D)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
21 6	Duty of enforcing authority to require remediation of contaminated land (Sect.78E)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
21 7	Prosecution for failing to comply with a remediation notice (Sect.78M)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
21 8	Powers of enforcing authority to carry out remediation (Sect.78N)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
21 9	Recovery of and security for the cost of remediation by the enforcing authority (Sect.78P)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
22 0	Duty to maintain a register of prescribed particulars etc. (Sect.78R)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	



Legislation	Function	Exercised by	Proposed Change, May 2018
22 1	Exclusion from registers of information affecting national security – notification to Secretary of State of excluded information (Sect.78S)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
22 2	Exclusion from registers of certain confidential information (Sect.78T). Determination of confidential/potentially confidential information	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
22 3	Power to issue a fixed penalty notice for the unauthorised distribution of literature on designated land (Schedule 3A, para. 7(2))	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
22 4	<b>European Communities Acts</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services
22 5	To carry out all functions under the European Communities Act 1972 as amended, the European Communities (Amendment) Acts of 1986, 1998 and 2002 and any Regulations made under those Acts including authorisation of officers to exercise all powers and duties under those Acts and Regulations made there under. Subject to revisions enacted by royal assent of the European Union (Withdrawal) Bill	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
22 6	<b>Food and Environment Protection Act 1985</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services
22 7	Inspection and enforcement powers (Part III)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
22 8	<b>Food Safety and Hygiene (England) Regulations 2013</b>	Including Regulation (EC) 852/2004, (EC) No. 853/2004, Regulation (EC) No. 854/2004 of the European Parliament and Food Safety and Hygiene (England) Regulations 2013	
22 9	To appoint and authorise appropriate named staff members to serve appropriate notices and act in matters under the Food Safety and Hygiene (England) Regulations 2013, Food Safety Act 1990 (as amended), and (a) any Orders or Regulations made there under or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and (b) any modification or re enactment of the foregoing	Executive Director (Regeneration and Development)	
23 0	Enforcement of Hygiene Regulations (Reg. 5)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
23 1	Service of Hygiene Improvement Notices (Reg. 6)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
23 2	Hygiene Emergency Prohibition Notices (Reg. 8)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
23 3	Remedial action notices and detention notices (Reg. 9 & 10)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
23 4	Sampling & Analysis (Reg. 14 & 15)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
23 5	Powers of Entry (Reg. 16)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
23 6	Initiation of Proceedings for offences (Reg. 19)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
23 7	Certification of Food (Reg. 29)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
23 8	<b>Food Safety Act 1990</b> To appoint and authorise appropriate named staff members to act in relevant provisions of Parts II and III of the Act, any Food Safety Regulations, Orders or Codes of Practice made under the Act and existing Regulations as specified in Schedule 4 of the Act (Sect.5(6)) including service of appropriate notices	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
23 9	To carry out the relevant provisions of Parts II and III of the Act, any Food Safety Regulations, Orders or Codes of Practice made under the Act and existing Regulations as specified in Schedule 4 of the Act (Sect.5(6))	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
24 0	Inspection and seizure of suspected food (Sect.9)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
24 1	Power to maintain statutory registers in respect of the Food Premises (Registration) Regulations 1991	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
24 2	<b>Gambling Act 2005</b> To exercise the functions of the licensing authority under the Gambling Act 2005 other than the adoption of the Statement of Gambling Policy	Licensing Committee	Licensing Committee
24 3	To issue a Statement of Gambling Policy	Full Council	Full Council
24 4	Determination of application for premises licence where representations made	Licensing Committee or Licensing Sub-committee	Licensing Committee or Licensing Sub-committee

Legislation	Function	Exercised by	Proposed Change, May 2018
24 5	Determination of application for a variation of premises licence where representations made and not withdrawn	Licensing Committee or Licensing Sub-committee	Licensing Committee or Licensing Sub-committee
24 6	Determination of application to transfer premises licence where Gambling Commission makes a representation	Licensing Committee or Licensing Sub-committee	Licensing Committee or Licensing Sub-committee
24 7	Determination of provisional statement where representations made and not withdrawn	Licensing Committee or Licensing Sub-committee	Licensing Committee or Licensing Sub-committee
24 8	Review of a premises licence	Licensing Committee or Licensing Sub-committee	Licensing Committee or Licensing Sub-committee
24 9	Power to issue a 'no casino' resolution	Full Council	Full Council
25 0	Power to delegate fee setting levels	Full Council	Full Council
25 1	Power to set fees where delegation enacted	Licensing Committee	Licensing Committee
25 2	Determination of application for premises licence, variation, transfer or provisional statement where no representations received	Executive Director (Regeneration and Development) or Head of Environmental Health	
25 3	Determination of application for temporary use notice where objection notice served	Licensing Sub-committee	Licensing Sub-committee
25 4	Issuing an objection notice under Sect.221	Executive Director (Regeneration and Development) or Head of Environmental Health	
25 5	Issue of counter notice under Sect.244	Executive Director (Regeneration and Development) or Head of Environmental Health	
25 6	Power to issue family entertainment centre gaming machine permit (Schedule 10)	Executive Director (Regeneration and Development) or Head of Environmental Health	
25 7	Power to issue single machine supply and maintenance permit Sect.250	Executive Director (Regeneration and Development) or Head of Environmental Health	
25 8	Power to issue a club gaming permit Sect.271	Executive Director (Regeneration and Development) or Head of Environmental Health	
25 9	Power to issue a club gaming machine permit Sect.273	Executive Director (Regeneration and Development) or Head of Environmental Health	
26 0	Power to issue licensed premises gaming machine permit Sect.283	Executive Director (Regeneration and Development) or Head of Environmental Health	
26 1	Power to issue prize gaming permit Sect.289	Executive Director (Regeneration and Development) or Head of Environmental Health	
26 2	Refusal and/or revocation of a registered lottery (Schedule 11)	Licensing Sub-committee	Licensing Sub-committee
26 3	Power to refuse a family entertainment centre gaming machine permit, single machine supply and maintenance permit, club gaming permit, club gaming machine permit, licensed premises gaming machine permit and prize gaming permit	Licensing Sub-committee	Licensing Sub-committee
26 4	Appointment of authorised officers Sect.304(2)(b)	All Executive Directors	
26 5	Power of inspection for compliance Sect.305	Chief Executive/ Executive Director (Regeneration and Development) or Head of Housing and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
26 6	Power of inspection for gambling Sect.307	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	

Legislation	Function	Exercised by	Proposed Change, May 2018
26 7	Power of inspection of family entertainment centres Sect.309	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
26 8	Power of inspection of alcohol licensed premises providing gaming Sect.310	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
26 9	Power of inspection of premises with a prize gaming permit	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
27 0	Power of inspection of a licensed premises for the purposes of applications and reviews Sect.313	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
27 1	Powers of inspection of lotteries: registered societies Sect.314	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
27 2	Power of inspection of premises with a temporary use notice Sect.315	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
27 3	General power of inspection Sect.317	Chief Executive/ Executive Director (Regeneration and Development) or Head of Environmental Health Services and all 'authorised officers' exercising inspection powers	
27 4	<b>Guard Dogs Act 1975</b>	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
27 5	Grant or renewal of licences (Not currently enacted)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
27 6	To undertake appropriate inspections and investigate offences: Sect.1 Control of Guard Dogs	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
27 7	<b>Health Act 2006</b>	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
27 8	To appoint and authorise appropriate named staff members under Sect.10(5) to discharge appropriate duties of Part 1, Chapter 1 To enforce Part 1, Chapter 1 as 'authorised officers' and to exercise power of entry in accordance with Schedule 2	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	

	Legislation	Function	Exercised by	Proposed Change, May 2018
27 9		Power to issue fixed penalty notices (Sect.9) in respect of smoking	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
28 0		Power to authorise proceedings in respect of offences under Part 1 of the Health Act 2006	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
28 1	<b>Health and Safety (Enforcing Authority) Regulations 1989</b>	Transfer of enforcement responsibility (Reg. 5 and 6)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
28 2	<b>Health and Safety at Work etc. Act 1974</b>	To appoint and authorise appropriate named staff members as Inspectors (Sect. 19)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
28 3		Powers and duties placed upon local authority inspectors under Sections 20 (2) a-m, 21, 22 and 25 of the Act, any Health and Safety Regulations made under the Act and the provisions of the Acts specified in Schedule 1 of the Act, inc. powers of entry [Enforcement EHOs]	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
28 4		Powers and duties placed upon local authority inspectors under Sections 20 (2) a, b, c, d, f, g, k, & l of the Act, any Health and Safety Regulations made under the Act and the provisions of the Acts specified in Schedule 1 of the Act, inc. powers of entry [Other teams and TAs]	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
28 5		Power to revoke notice (Sect.23)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
28 6		Institution of proceedings (Sect.38 & 39)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
28 7	<b>Housing Act 1985</b>	To periodically review the housing needs of its area in relation to housing conditions and the needs of the district (Housing Act 1985, Sect.8)	Executive Director (Regeneration and Development) / Head of Housing / appropriately qualified housing staff	
28 8		To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) and Head of Housing	
28 9		Acquisition of land for housing purposes (sec 17-19)	Executive Director (Regeneration and Development) and Head of Housing	
29 0		Power to make demolition order (Sect.265)	Executive Director (Regeneration and Development) and Head of Housing	
29 1		Service of notice of order (Sect.268)	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
29 2		Recovery of possession of building to be demolished (Sect.270)	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
29 3	Cleansing before demolition (Sect.273)	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
29 4	Power to permit reconstruction of condemned house (Sect.274)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Housing, Regeneration & Asset Services
29 5	Substitution of closing order to permit use otherwise than for human habitation (Sect.275)	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
29 6	<u>Clearance Areas</u>		
29 7	Clearance areas etc. (Sect.289)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Housing, Regeneration & Asset Services
29 8	Power of entry (Sect.319)	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
29 9	<u>Part X OVERCROWDING</u>		
30 0	Power to issue or revoke licence authorising persons in excess of permitted number to sleep in a dwelling Sect.330	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
30 1	Power to require information about persons sleeping in a dwelling Sect.335	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
30 2	Power to require production of rent book Sect.336	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
30 3	Power of entry to determine permitted number of persons Sect.337 and for the purpose of a survey or examination [ Also Powers of entry as in Sect. 340]	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
30 4	Notice to abate overcrowding Sect.338	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
30 5	Power to Prosecute (sections 324 & 344): (Sect. 339)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Housing, Regeneration & Asset Services
30 6	<u>Part XVII Compulsory Purchase and Land Compensation</u>		
30 7	Powers of entry Sect.600	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

	Legislation	Function	Exercised by	Proposed Change, May 2018
30 8	<b>Housing Act 2004</b>	<b>PART 1 – HOUSING CONDITIONS Enforcement of Housing Standards: General</b>		
30 9		Duty to review housing conditions in the area	Executive Director (Regeneration and Development) or Head of Housing Services	
31 0		Inspections to see whether Category 1 or 2 hazards exist: Category 1 hazards – duty to take enforcement action; Category 1 hazards – powers to take enforcement action; Category 2 hazards – powers to take enforcement action	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 1		Category 1 hazards – duty to serve improvement notices (sec 11)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 2		Category 2 hazards – power to serve improvement notices (sec 12)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 3		Suspension of improvement notices (sec 14)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 4		Revocation and variation of improvement notices (sec 16)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 5		Review of suspended improvement notices (sec 17)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 6		Service of improvement notices etc. and related appeals (18)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 7		Duty of authority to make prohibition orders in relation to Category 1 hazards (sec 20)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 8		Power of authority to make prohibition orders in relation to Category 2 hazards (sec 21)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
31 9		Suspension of prohibition orders (sec 23)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 0		Revocation and variation of prohibition orders (sec 25)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
32 1	Review of prohibition orders (sec 26)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 2	Service of copies of prohibition orders etc. and related appeals (27)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 3	Hazard awareness notices relating to category 1 hazards: duty of authority to serve notice (28)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 4	Power of authority to serve hazard awareness notices in relation to Category 2 hazards (sec 29)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 5	Offence of failing to comply with improvement notice (sec 30)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 6	Power of authority to take enforcement action which provides for receiving of related expenses (sec 31)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 7	<u>Emergency Measures</u>		
32 8	Power of authority to take emergency remedial action (sec 40)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
32 9	Notice of emergency remedial action (sec 41)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
33 0	Recovery of expenses of taking emergency remedial action (sec 42)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
33 1	Emergency prohibition orders (sec 43)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
33 2	<u>Demolition Orders and Slum Clearance</u>		
33 3	<u>Declarations</u>		
33 4	Power to make demolition orders (sec 46)	Executive Director (Regeneration and Development)	
33 5	Power to make clearance areas (sec 47)	Executive Director (Regeneration and Development)	
33 6	<u>General and Miscellaneous Provisions relating to Enforcement Action</u>		



Legislation	Function	Exercised by	Proposed Change, May 2018
33 7	Power to charge for enforcement action (sec 49)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
33 8	Recovery of charge under section 49 (sec 50)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
33 9	<u>Part 2 – LICENSING OF HOUSES IN MULTIPLE OCCUPATION (HMO)</u>		
34 0	Licensing of HMOs to which Part 2 applies (sec 55)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 1	Power to designate areas subject to additional licensing (sec 56)	Executive Director (Regeneration and Development) and Head of Housing Services	
34 2	Power to serve temporary exemption notices from licensing requirements (sec 62)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 3	Power to grant licence (sec 64)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 4	Power to refuse licence (sec 64)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 5	Power to impose licence conditions (sec 67)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 6	Power to vary licence (sec 69)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 7	Revocation of licence (sec 70)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 8	Offences in relation to licensing of HMOs (Sec 72)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
34 9	Power to implement rent payment orders (sec 73, sec 74)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 0	<u>Part 3 – SELECTIVE LICENSING OF OTHER RESIDENTIAL ACCOMMODATION</u>		

Legislation	Function	Exercised by	Proposed Change, May 2018
35 1	Designation of selective licensing areas (sec 80)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 2	Duration, review and revocation of designations (sect.84)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 3	Temporary exemption from licensing requirements (sect.86)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 4	Grant of licence (sect.88)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 5	Refusal of licence (sect.88)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 6	Licence conditions (sect.90)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 7	Variation of licence (sect.92)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 8	Revocation of licence (sect 93)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
35 9	Power to implement rent repayment orders (sect 96, sect.97)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
36 0	<u>Part 4 – ADDITIONAL CONTROL PROVISIONS IN RELATION TO RESIDENTIAL ACCOMMODATION</u>		
36 1	<u>Interim and Final Management Orders</u>		
36 2	Duty/power to make interim management orders (sect.102)	Executive Director (Regeneration and Development) or Head of Housing Services	
36 3	Power to make special interim management orders (sect.103)	Executive Director (Regeneration and Development) or Head of Housing Services	
36 4	Variation of interim management orders (sect.111)	Executive Director (Regeneration and Development) or Head of Housing Services	
36 5	Revocation of interim management orders (sect.112)	Executive Director (Regeneration and Development) or Head of Housing Services	
36 6	Making of final management orders (sect.113)	Executive Director (Regeneration and Development) or Head of Housing Services	

Legislation	Function	Exercised by	Proposed Change, May 2018
36 7	Operation of management schemes (sect.114)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
36 8	Management schemes and accounts (sect.119)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
36 9	Enforcement of management scheme by relevant landlord (sect.120)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
37 0	Variation of final management orders (sect.121)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
37 1	Revocation of final management orders (sect.122)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
37 2	Management orders – power to supply furniture (sect.127)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
37 3	Compensation liable to third parties (sect.128)	Executive Director (Regeneration and Development) or Head of Housing Services	
37 4	Termination of management orders (sect.129, sect.130)	Executive Director (Regeneration and Development) or Head of Housing Services	
37 5	Management orders – power of entry (sect.131)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
37 6	<u>Interim and Final Empty Dwelling Management Orders</u>		
37 7	Power to make empty dwelling management orders (sect.133)	Executive Director (Regeneration and Development) or Head of Housing Services	
37 8	Power to make interim empty dwelling management orders (sect.133)	Executive Director (Regeneration and Development) or Head of Housing Services	
37 9	Power to make final empty dwelling management orders (sect.136)	Executive Director (Regeneration and Development) or Head of Housing Services	
38 0	Power to make compensation payments to third parties (sect.138)	Executive Director (Regeneration and Development) or Head of Housing Services	
38 1	<u>Overcrowding Notices</u>		
38 2	Power to make overcrowding notices (sect.139)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
38 3	Revocation and variation of overcrowding notices (sect.144)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
38 4 38 5	Part 7 – SUPPLEMENTARY AND FINAL PROVISIONS Register of licences and management orders (sect.232)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
38 6	Management regulations in respect of HMO (sect.234)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
38 7	Power to require documents to be produced (sect.235)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
38 8	Powers of entry (sect.239)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
38 9	Warrant to authorise entry (sect.240)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 0	Penalty for obstruction (sect.241)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 1	Additional notice requirements for protection of owners (sect.242)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 2	Power to dispense with notices (sect.245)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 3	Orders and Regulations (sect.250) relating to The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 Remedial action (sect.5-7) Penalty Charges (sect.8-13) Notices (sect.14)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 4	Authorisation for enforcement purposes etc.	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 5	HMO declarations (sect.255)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 6	Revocation of HMO declaration (s256)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

	Legislation	Function	Exercised by	Proposed Change, May 2018
39 7	<b>Housing and Planning Act 2016</b>	Application and notice of intended proceedings (s15)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 8		Power to require information (s19)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
39 9		Offence of breach of banning order (s21)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 0		Financial penalty for breach of banning order (s23)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 1		Duty to include person with banning order (s29)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 2		Power to include person convicted of banning order offence (s30)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 3		Power to require information (s35)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 4		Removal or variation of banning order entries (s36)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 5		Application for rent repayment order (s41)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 6		Notice of intended proceedings (s42)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 7		Enforcement of rent repayment orders (s47)	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
40 8		Power to authorise the institution / enforcement of civil proceedings under section 126 and Schedule 9	Head of Housing Regeneration and Assets and appropriately qualified housing officers	
40 9	<b>Housing Grants, Construction and Regeneration Act 1996</b>	Approval, Refusal and Certification of Completion of Renovation and Disabled Facilities Grants etc.	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
41 0	Power to not demand repayment following breach of condition as to availability for letting	Executive Director (Regeneration and Development) or Head of Housing Services	
41 1	Power to not demand repayment of the grant and where the circumstances fall within the Housing Grants, Construction and Regeneration Act 1996 (Grant Repayment( General Consent 2000, the amount repayable will be on a sliding scale over the 5 year condition period.	Executive Director (Regeneration and Development) or Head of Housing Services	
41 2	<b>Land Compensation Act 1973</b> Home loss payments and advance payments	Executive Director (Resources and Support Services) or Head of Housing Services	
41 3	Discretionary home loss payments	Executive Director (Resources and Support Services) or Head of Housing Services	
41 4	<b>Landlord and Tenant Act 1985</b> Power of local housing authority to institute legal proceedings Sect.34	Executive Director (Resources and Support Services) or Head of Housing Services	
41 5	<b>Law of Property Act 1925</b> Regulation of exercise of power of sale (s 101 & 103)	Executive Director (Regeneration and Development) and Head of Housing	
41 6	<b>Licensing Act 2003</b> To exercise the functions of the licensing authority under the Licensing Act 2003 other than the adoption of the Statement of Licensing Policy	Licensing Committee	Licensing Committee
41 7	To authorise officers to exercise the rights of an 'authorised person' (as s. 13(2) & 69)	Executive Director (Regeneration and Development) and Head of Environmental Health Services	
41 8	Perform actions as an 'authorised person' (as s. 13(2) & 69 Licensing Authority officer or s.19 H&S Inspector)	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
41 9	To determine applications for a premises licence, club premises certificate, personal licence, provisional statements, variations, transfers, removal of designated premises supervisor and all other applications made under the Licensing Act 2003 where no representations have been received	Chief Executive or Executive Director (Regeneration and Development) or Head of Environmental Health	
42 0	To authorise prosecutions for offences under the Licensing Act 2003	Licensing Committee or Executive Director (Regeneration and Development) in consultation with the Chair of Licensing Committee	Licensing Committee or Executive Director (Regeneration and Development) in consultation with the Chair of Licensing Committee
42 1	To determine applications under the Licensing Act 2003 where representations are received	Licensing Committee/ Licensing Sub-committee	Licensing Committee or Licensing Sub-committee
42 2	To make Closure Orders under the Licensing Act 2003 in respect of licensed premises	Chief Executive and Environmental Health Officers authorised in writing	
42 3	Licensing of sex establishments	Licensing Committee	Licensing Committee
42 4	Objections to grant or renewal of club registration certificates and Justices' licences	Chief Executive or Executive Director (Regeneration and Development) or Head of Environmental Health	
42 5	Charitable collection permits	Chief Executive or Executive Director (Regeneration and Development) or Head of Environmental Health	
42 6	Registration of societies – small lotteries	Chief Executive or Executive Director (Regeneration and Development) or Head of Environmental Health	

	Legislation	Function	Exercised by	Proposed Change, May 2018
42 7		Permits for amusements with prizes	Chief Executive or Executive Director (Regeneration and Development) or Head of Environmental Health	
42 8		Track betting licences	Licensing Committee	Licensing Committee
42 9		Power to authorise the institution of proceedings in respect of contravention of the legislation within the above terms of reference	Licensing Committee	Licensing Committee
43 0		Approval of advertisements on Hackney Carriage vehicles (Resolution 984/97)	Executive Director (Regeneration and Development)	
43 1		Require production of Premises Licence Sect. 56(2) and 57	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 2		Inspection before grant of licence Sect. 59	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 3		Require production of certificates Sect 94	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 4		Inspection before grant of certificate Sect. 96	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 5		Other Powers of entry and search Sect . 97	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 6		Rights of entry - Temporary event notice Sect 108	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 7		Require production of Temporary Event Notice Sect. 109	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 8		Require production of Personal Licence Sect. 134 & 135	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
43 9		Investigation of licensable activities & offences Sect. 179 & 180	Executive Director (Regeneration and Development) and Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
44 0	<b>Local Government (Miscellaneous Provisions) Act 1976 (including Town Police Clauses Act 1847)</b>	Requisition regarding ownership of land Sect.16	Executive Director (Regeneration and Development) and Head of Housing Services or Head of Environmental Health Service and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
44 1	Notice requiring provision of sanitary facilities at places of entertainment etc. Sect.20	Executive Director (Regeneration and Development), Head of Environmental Health Services or Head of Housing Services	
44 2	Power to assist tenants to restore and continue supply of gas, water or electricity because landlord has not paid bills Sect.33	Executive Director (Regeneration and Development) and Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
44 3	Power to approve Council policy with regard to hackney carriage and private hire drivers, vehicles and operators	Public Protection Committee	Public Protection Committee
44 4	Power to grant, renew and transfer Private Hire and Hackney Carriage: Vehicle licenses, Driver licenses and Operators in compliance with policy	Executive Director (Regeneration and Development) or Head of Environmental Health	
44 5	Power to grant, renew and transfer Private Hire and Hackney Carriage: Vehicle licenses, Driver licenses and Operators NOT in compliance with policy	Public Protection Committee	Public Protection Sub Committee
44 6	Power to suspend, refuse or revoke Hackney Carriage vehicle licences	Executive Director (Regeneration and Development) or Head of Environmental Health Head of Recycling, Waste & Fleet	
44 7	Power to suspend Hackney Carriage driver licences	Executive Director (Regeneration and Development) or Head of Environmental Health or Public Protection	
44 8	Power to refuse or revoke Hackney Carriage driver licences	Public Protection or Executive Director (Regeneration and Development) or Head of Environmental Health	Public Protection Sub Committee
44 9	Power to suspend Private Hire, driver licenses and operators licenses	Public Protection or Executive Director (Regeneration and Development) or Head of Environmental Health	Public Protection Sub Committee
45 0	Power to refuse or revoke Private Hire driver licenses and operators licenses	Public Protection or Executive Director (Regeneration and Development) or Head of Environmental Health	Public Protection Sub Committee
45 1	Power to refuse, suspend or revoke Private Hire Vehicle licenses	Public Protection or Executive Director (Regeneration and Development) or Head of Environmental Health and/or Head of Recycling, Waste & Fleet Services	Public Protection Sub Committee
45 2	Hackney Carriage fares and numbers.	Public Protection Committee	Public Protection Committee
45 3	Power to authorise prosecution proceedings for Hackney Carriage and Private Hire vehicles, drivers and Operators	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
45 4	Provision of information and production of documents Hackney Carriages and Private Hire vehicles Sect. 50, 53, 53A & 56	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
45 5	Return of identification plate or disc on revocation or expiry of licence etc., Sect.58. Sect 60 & 61 Sect 62 & 62A.	Executive Director (Regeneration and Development) or Executive Director (Operational Services) or Head of Environmental Health Services	
45 6	Inspection and Testing of Hackney Carriages and Private Hire vehicles for fitness. Sect. 68	Executive Director (Regeneration and Development) or Executive Director (Operational Services) or Head of Environmental Health Services or Head of Recycling, Waste & Fleet Services	



Legislation	Function	Exercised by	Proposed Change, May 2018
45 7	Action in respect of obstruction of authorised officers	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
45 8	<b>Local Government (Miscellaneous Provisions) Act 1982</b> Registration of persons and premises for acupuncture, tattooing, ear piercing & electrolysis (Sect.13 –17)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
45 9	To undertake appropriate inspections associated with for acupuncture, tattooing, ear piercing & electrolysis (Sect.13 – 17)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
46 0	Securing of buildings against unauthorised access where permanently unoccupied or occupier temporarily absent (Sec.29 -32)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing Services	
46 1	To undertake site inspections, and search records to perform duties associated with Sect.29-32, securing of buildings	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
46 2	Execution of work in default to secure compliance with notices under Sections 29-32	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing Services	
46 3	To place appropriate order with suitable contractor to perform duties associated with Sect.29-32, securing of buildings	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
46 4	<b>Local Government and Housing Act 1989</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties. <u>Urban Renewal</u>	Executive Director (Regeneration and Development)	
46 5			
46 6	Power to declare, extend or terminate, etc. Renewal Areas (Sec.89) - et sequence	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Housing, Regeneration & Asset Services
46 7	Power of Entry (Sec.97) - Renewal areas	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
46 8	<u>Miscellaneous</u>		
46 9	Power to institute proceedings in respect of contraventions of the above mentioned Acts, Regulations or Regulations made there under as amended or substitute and to recover costs/expenses where appropriate	Public Protection Committee, Executive Director (Regeneration and Development) or Head of Housing Services	Executive Director (Regeneration and Development) or Head of Housing, Regeneration & Asset Services
47 0	Power to designate a particular technical officer as being appropriate	Executive Director (Regeneration and Development ) or Head of Housing Services	
47 1	<b>Mobile homes Act 2013</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development)	
47 2	Provisions relating to licensing (s1-7)	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
47 3	Provisions relating to offences (s12-14)	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
47 4	<b>Microchipping of Dogs (England) Regulations 2015</b> To authorise officers to exercise the rights of an 'authorised person' Reg. 11	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
47 5	Power to serve notice where chip not present or keeper details incorrect Reg. 12(a)	Duly authorised officers	
47 6	Power to microchip and register recovering costs incurred Reg. 12(b)	Duly authorised officers	
47 7	Power to seize a dog to check a microchip or arrange microchipping Reg. 12(c).	Duly authorised officers	
47 8	Approval to commence proceeding for breach of notice or obstruction of officers Reg. 13	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
47 9	<b>National Assistance Act 1948</b> Removal of persons suffering from grave chronic disease and not receiving proper care Sect.47	Designated Proper Officer	
48 0	Making of proper arrangements for assisted burials and the recovery of costs (Sect. 50)	Executive Director (Regeneration and Development)	
48 1	<b>Noise Act 1996</b> Adoption of provisions (Sect. 1)	Public Protection Committee	Public Protection Committee
48 2	To appoint & authorise appropriate groups of officers by designation to perform associated duties and claim indemnity afforded by the act	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
48 3	Authority to serve Warning Notice (Sect. 3)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
48 4	Authority to require a person to give their name and address (Sect. 8)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
48 5	Powers of entry and Authority to Seize Noise Producing Equipment (Sect. 10(7))	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
48 6	Authority for retention, application for forfeiture, return or disposal of seized equipment (Sect. 10(9) and Schedule)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
48 7	<b>Noise and Statutory Nuisance Act 1993</b> Power to grant consent for the operation of a loudspeaker, in contravention of the Control of pollution act 1974 section 62(1)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
48 8	<b>Offices, Shops and Railway Premises Act 1963</b> Recording of persons employed Sect.49	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
48 9	<b>Party Wall Act 1996</b> To periodically review the housing needs of its area in relation to housing conditions and the needs of the district (Housing Act 1985, Sect.8)	Executive Director (Regeneration and Development) / Head of Housing / appropriately qualified housing staff	

	Legislation	Function	Exercised by	Proposed Change, May 2018
49 0	<b>Pet Animals Acts 1951/1983</b>	To appoint and authorise appropriate named staff members under Sect 4(1) of the 1951 Act , as amended	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
49 1		Grant, renewal or refusal of licence and service of notices of contravention (Sect. 1)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
49 2		Power to enter premises to inspect (Sect. 4)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
49 3		Instigate proceedings for Sect. 5 Offences (Sect. 6)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
49 4	<b>Pollution Prevention and Control (England &amp; Wales) Regulations 2000</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
49 5		Powers and duties in respect of: Sect. 6-12, 15-26, 28, 29, 31, and 33 plus schedules 3,4,7,8,&10	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
49 6	<b>Pollution Prevention and Control Act 1999 (as amended by Order)</b>	To appoint and authorise appropriate named staff members to carry out the functions and to exercise all powers and duties under that Act and Regulations made there under –	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
49 7		Permit A2 & B installations (schedule 1); grant permits; issue revocations; vary permits & conditions; payment issues; transfer of permits; obtaining information; suspension & enforcement	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
49 8		Also: Powers of Entry (paragraph 14)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
49 9		Local authority obligations in respect of The Waste (England and Wales) Regulations 2011	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
50 0		Authority to prosecute for offences (paragraph 17)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
50 1	<b>Prevention of Damage by Pests Act 1949</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
50 2		Notices in respect of rodent infestation (Sections 4-7 and 9) and work in default in respect of rodent infestation	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

	Legislation	Function	Exercised by	Proposed Change, May 2018
50 3		Authority to Enter Premises (Sect 22)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
50 4		Authority to prosecute offences (Sect 26)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing, Regeneration & Asset Services
50 5	<b>Protection from Eviction Act 1977</b>	Part 1 – unlawful eviction and harassment	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
50 6		Part 3(A) a an act likely to interfere with the peace and comfort of those living at the property.	Executive Director (Regeneration and Development) or Head of Housing Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
50 7	<b>Public Health (Control of Disease) Act 1984 Health Protection (Local Authority Powers) Regulations 2010 Health Protection (Part 2A Orders) Regulations 2010 and Health Protection Regulations 2010</b>	To appoint and authorise appropriate named staff members to carry out the functions and exercise all powers and duties under the above Acts and Regulations thereunder	Executive Director (Regeneration & Development) or Head of Environmental Health Services	
50 8		To authorise the nominate proper officer for the Control of Notifiable Disease and Food Poisoning under the 1984 Act, with powers to act as Proper Officer, including the signing of documents	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
50 9		Disinfection of Premises Sect.31	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
51 0		Disposal of dead bodies Sect.46	Chief Executive	
51 1		Removal of Dead Bodies Sect.48	Designated Proper Officer	
51 2		Power to enter premises Sect.61 & 62	Executive Director (Regeneration & Development) or Head of Environmental Health Service, all Environmental Health Officers, Designated Proper Officer or nominees	
51 3	<b>Health Protection (Local Authority Powers) Regulations 2010</b>	Disinfection and Decontamination of items on request Regs. 4 &5	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
51 4		Disinfection and Decontamination of premises on request Regs. 6 &7	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	

Legislation	Function	Exercised by	Proposed Change, May 2018
51 5	Restriction of contact with, access to, or relocation of, dead bodies	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
51 6	<b>Health Protection (Part 2A Orders) Regulations 2010</b> Application to JP for a Part 2A Order	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
51 7	<b>Public Health Act 1936</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties under Section 343(1)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
51 8	Repair of defective closets Sect.45	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing Services	
51 9	Power to examine and test drains Sect.48	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
52 0	Notice to remedy overflowing and leaking cesspools Sect.50	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
52 1	Notice requiring care of closets Sect.51	Executive Director (Regeneration and Development)	
52 2	Power to serve notice in respect of Noxious Matter (Sect. 79) (with associated works)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
52 3	Notices to remedy filthy or verminous premises, articles, persons and their clothing (Sections 83, 84 and 85) (with associated works)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
52 4	Authority to issue tent site licences Sect.269	Executive Director (Regeneration and Development) or Head of Housing Services	
52 5	Power to enter premises to inspect & Warrant provisions Sect.287	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
52 6	Authority to institute proceedings (Sect. 296)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Housing, Regeneration & Asset Services
52 7	<b>Public Health Act 1961</b> Power to remedy stopped drains and repair defective drains Sect.17	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
52 8	Notices in respect of accumulation of rubbish and filthy and verminous premises (Sections 34-37)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
52 9	<b>Refuse Disposal (Amenity) Act 1978</b> To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Operational Services)	

Legislation	Function	Exercised by	Proposed Change, May 2018
53 0	Removal and disposal of abandoned vehicles (Sect. 3-5) and other refuse (Sect. 6)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
53 1	Power to enter premises to inspect Sect. 8	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Head of Operational Services and appropriately qualified Technical Staff and agents acting on behalf of the authority expressly authorised by the relevant Head of Service	
53 2	<b>Riding Establishments Acts 1964 and 1970</b> To appoint and authorise appropriate named staff members to perform duties (section 2 & 5 of the 1964 Act and subsequent legislation)	Executive Director (Regeneration and Development)	
53 3	Grant, renewal or refusal of licence and service of notice of contravention	Executive Director (Regeneration and Development)	
53 4	Power to enter premises to inspect	Executive Director (Regeneration and Development), all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
53 5	<b>Scrap Metal Dealers Act 2013</b> Issue of Licence (Where there are no questions relating to the suitability of the applicant)	Executive Director (Regeneration and Development) or Head of Environmental Services and Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing	
53 6	Issue of Licence (Where questions do arise regarding the suitability of the applicant)	Executive Director (Regeneration and Development) or Head of Environmental Health Services or Principal Solicitor, or Monitoring Officer	
53 7	Revocation of Licence and imposition of conditions Sect. 4	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
53 8	Closure of Unlicensed Sites - Schedule 2 (sect. 9)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
53 9	Inspection of Premises and checking of records Sect. 10-16	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
54 0	Commence proceedings in respect of offences	Public Protection Committee	Public Protection Committee
54 1	<b>Staffordshire Act 1983</b> Registration of hairdressers and barbers and of their premises (Sec.11)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
54 2	Notices to control dust, etc. from building operations (Sec.12)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
54 3	Complaint to Magistrates Court requesting Order to alter chimney (Sec.14)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
54 4	Power to control rats and mice on land and recharge owner (Sec.15)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	

Legislation	Function	Exercised by	Proposed Change, May 2018
54 5	Powers of entry for the Prevention of Damage by Pests Act 1949 (Sec.16)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
54 6	Powers in respect of oil burning equipment (Sect. 27)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
54 7	<b>Sunbeds (Regulation) Act 2010</b> To appoint and authorise appropriate named staff members to carry out the functions and to exercise all powers and duties under the above Act and Regulations made there under	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
54 8	Powers of entry (Sect.7)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
54 9	<b>Sunday Trading Act 1994</b> To appoint and authorise appropriate named staff members to perform duties (Schedule 2, Parts 1 & 2)	Executive Director (Regeneration and Development)	
55 0	Power of inspection	Executive Director (Regeneration and Development), all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
55 1	<b>The Environmental Damage (Prevention and Remediation) Regulations 2009 (as amended)</b> Authorise the exercise of powers of authorised persons under the Regulations to Environmental Health Officers and appropriately qualified technical staff	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
55 2	Power to serve a notice on a responsible operator to prevent further environmental damage (Part 2)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
55 3	Power to serve a remediation notice on the responsible operator where environmental damage had occurred (Part 3)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
55 4	Power to undertake works in default where a remediation notice served in respect of environmental damage under Part 3 has not been complied with (Regulation 19)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
55 5	Power to recover costs associated with any works in default from the appropriate duty holder (Regulations 17 and 24)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
55 6	Power to require the provision of information to the enforcing authority (Regulation 23)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
55 7	Power to instigate legal proceedings (Regulation 25)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
55 8	<b>The Fluorinated Greenhouse Gases Regulations 2015</b> Authorise the exercise of powers of authorised persons under the Regulations to Environmental Health Officers and appropriately qualified technical staff (Regulation 21 (1), 22(1))	Executive Director (Regeneration and Development) or Head of Environmental Health Services	

Legislation	Function	Exercised by	Proposed Change, May 2018
55 9	Service of Information Notices (Regulation 24)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
56 0	Service of enforcement notices (Regulation 25)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
56 1	Proceedings before a civil court (Regulation 27)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
56 2	Prosecution of relevant offences( Regulation 29)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
56 3	<b>The General Food Regulations 2004</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties to comply with Regulation (EC) No. 178/2002	Executive Director (Regeneration and Development) or Head of Environmental Health Services
56 4	Inspection to in accordance with Regulation (EC) No. 178/2002	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
56 5	<b>The Official Controls (Animals, Feed and Food) (England) Regulations 2006</b>	Powers of enforcement Officers (Reg. 16)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff
56 6	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
56 7	Power of entry (Reg.18)	Executive Director (Regeneration and Development), all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
56 8	Notice to detain, destruct, special treat, re-despatch (Reg.31)	Executive Director (Regeneration and Development) and appropriately qualified Environmental Health Officers and technical staff	
56 9	Procurement of samples (Reg.37)	Executive Director (Regeneration and Development) and appropriately qualified Environmental Health Officers and technical staff	
57 0	Analysis of samples (Reg.38)	Executive Director (Regeneration and Development) and appropriately qualified Environmental Health Officers and technical staff	
57 1	<b>The Private Water Supplies(England ) Regulations 2016</b>	To appoint and authorise appropriate named staff members to carry out the functions and to exercise all powers and duties under the above Acts and Regulations made there under	Executive Director (Regeneration and Development) or Head of Environmental Health Services
57 2	To perform duties in respect of Part 2 – Risk Assessment, Part 3 - Monitoring & Sampling, Part 4 – Investigations, Part 5 - Notices & Penalties and Part 6 – Fees	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	



	Legislation	Function	Exercised by	Proposed Change, May 2018
57 3	<b>The Trade in Animals and Related Products Regulations 2011</b>	Powers of Entry (Reg. 33)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
57 4		Powers of Authorised Officers (Reg. 34)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
57 5	<b>The Transmissible Spongiform Encephalopathies (No. 2) Regulations 2006</b>	To appoint & authorise appropriate groups of officers by designation to perform associated duties.	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
57 6		Power of entry (Reg.17)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
57 7		Inspection, sampling, detain and seizure (Reg.17)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
57 8		Power to serve notice (Reg.19)	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
57 9	<b>Town and Country Planning Act 1990</b>	To serve notices under Sect.215 of the Act requiring proper maintenance of land	Executive Director (Regeneration and Development) and appropriately qualified Environmental Health Officers and technical staff	
58 0	<b>Town Police Clauses Act 1847</b>	Provisions in respect of Hackney carriages. Sections 37, 38 & 40-66	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	
58 1	<b>Unauthorised Deposit of Waste (Fixed Penalty) Regulations 2016</b>	Appointment of officers authorised in writing to issue notices (Reg. 12)	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
58 2		Authorisation to proceed for relevant offences (Reg. 8)	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
58 3	<b>Water Industry Act 1991</b>	To appoint and authorise appropriate named staff members as Inspectors Sect. 84(2)	Executive Director (Regeneration and Development)	
58 4		Local Authority Functions etc. – water supplies (Sections 77 - 85) including service of Notices under S. 80	Executive Director (Regeneration and Development) or Head of Environmental Health Services	
58 5		Power to enter premises to inspect (Sect.84 & Sect.85)	Executive Director (Regeneration and Development), all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	
58 6	<b>Wildlife and Countryside Act 1981</b>	Duty of Local Authority to promote the act (S 25(1))	Executive Director (Regeneration and Development)	
58 7		Identification of offences and collection of evidence	Executive Director (Regeneration and Development) or Head of Environmental Health Services and all Environmental Health Officers and appropriately qualified technical staff	

	Legislation	Function	Exercised by	Proposed Change, May 2018
58 8		Enforcement of Act and associated Orders (Sect. 25(2))	Public Protection Committee	Executive Director (Regeneration and Development) or Head of Environmental Health Services
58 9	<b>Zoo Licensing Act 1981</b>	To appoint and authorise appropriate named staff members to perform duties	Executive Director (Regeneration and Development)	
59 0		Grant, refusal or renewal of licence	Public Protection Committee	Public Protection Committee
59 1		Service of notices of contravention	Executive Director (Regeneration and Development)	
59 2		Power to enter premises to inspect	Executive Director (Regeneration and Development), all Environmental Health Officers, Enforcement Officers and appropriately qualified technical staff	Public Protection Committee

**PROCEDURE TO BE FOLLOWED BY PUBLIC PROTECTION AND PUBLIC PROTECTION SUB-COMMITTEE IN DETERMINING HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES**

1. The Chairman will open the proceedings by stating the nature of the matter which is to be considered (first application/renewal/suspension/revocation), whether the proceedings concern a vehicle, drivers' or operators' licence (in the case of Private Hire Cars) or a driver's or vehicle licence (in the case of Hackney Carriages) and the name of the applicant or licence holder.
2. The Chairman will introduce him/herself and the members of the committee, the Clerk to the committee and any other officer present.
3. The Chairman will ask the officers to confirm whether or not the formal requirements in respect of the matter to be considered have been complied with. In the case of a proposed suspension or revocation of a licence, refusal to renew or a new licence application, the Chairman will ask the Licensing Officer to confirm whether or not the requisite 5 days' prior notice has been served on the licence holder.
4. If satisfied as to the formal requirements, the matter under consideration will then be outlined by the Licensing Officer.
5. The committee will consider the merits of the application or proposed suspension/revocation and the report of the officers. The committee may ask the officers for clarification of any points in issue.
6. The Chairman will then invite the applicant or licence holder to make any representations. The applicant or licence holder may make his/her representations personally or through a representative, who shall first identify him/herself.
7. The Chairman and other members of the committee may ask the applicant or license holder questions and points of clarification.
8. The applicant or licence holder, his/her representative (if any) and any officer present (with the exception of the Lawyer and the Clerk to the committee) shall withdraw.
9. The members of the committee consider their decision. If any further clarification or information is required from the applicant or licence holder or any officer, all parties will be recalled.
10. All parties will be recalled for the announcement by the Chairman of the committee's decision.
11. The committee's decision will be confirmed in writing by the Proper Officer.
12. At any point in this procedure, the committee may pass a resolution excluding the press and public from the meeting on the basis that, if they were to remain, there may be disclosure of exempt information (information relating to the private or business affairs of a particular person).

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## Notification of Political Groups of the Borough Council

Members are advised that the Proper Officer has received notification, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of the operation of six political groups on the Council namely:-

NAME & NUMBER OF MEMBERS	DESIGNATED LEADER	DESIGNATED DEPUTY LEADER
LABOUR	TONY KEARON	KYLE ROBINSON
CONSERVATIVE	SIMON TAGG	STEPHEN SWEENEY
LIBERAL DEMOCRAT	MARION REDDISH	IAN WILKES
BOROUGH INDEPENDENT GROUP	BERT PROCTOR	GARY WHITE

### Representation of Political Groups in Committees and Appointment of Members to Committees

		LABOUR	CONSERVATIVE	LIB DEM	BOROUGH INDEPENDENT GROUP
<b>Audit Standards &amp;</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>
		Silvia Burgess	Gill Burnett		
		Sylvia Dymond	Barry Panter		
		Sarah Pickup	Paul Waring		
		Mike Stubbs			
<b>Substitutes</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>
		To follow	Jennifer Cooper		
			Mark Holland		
<b>Independent Member</b>					
<b>Employment Committee</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>
		Andrew Fox-Hewitt	Mark Holland		Bert Proctor
		Amelia Rout	Stephen Sweeney		
		Elizabeth Shenton	Simon Tagg		

<b>Substitutes</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>
		To follow	David Harrison Paul Northcott		Gary White
<b>Licensing &amp; Public Protection</b>	<b>15</b>	<b>7</b>	<b>6</b>	<b>1</b>	<b>1</b>
		Sylvia Dymond Tony Kearon	John Cooper Trevor Johnson	June Walklate	Simon White
		Mark Olszewski	Andrew Parker		
		Kyle Robinson	Stephen Sweeney		
		Gill Williams	John Tagg		
		John Williams	Jill Waring		
		Ruth Wright			
<b>Substitutes</b>	<b>15</b>	<b>7</b>	<b>6</b>	<b>1</b>	<b>1</b>
		To follow	Julie Cooper Paul Northcott Simon Tagg	Marion Reddish	Gary White
<b>Conservation Advisory</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>
		Allison Gardner Sue Moffat	Julie Cooper Trevor Johnson		Bert Proctor
<b>Substitutes</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>
		To follow	Gill Burnett Barry Panter		Simon White
<b>Planning</b>	<b>12</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>1</b>
		Silvia Burgess Sarah Pickup	Jennifer Cooper Andrew Fear	Marion Reddish	Bert Proctor
		Chris Spence	Helena Maxfield		
		Gill Williams	Paul Northcott		
		John Williams	Simon Tagg		

<b>Substitutes</b>	<b>12</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>1</b>
		To follow	Mark Holland	Ian Wilkes	Gary White
			Barry Panter		
			Stephen Sweeney		
<b>Health, Wellbeing &amp; Partnerships SC</b>	<b>11</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>0</b>
		Allison Gardner	Julie Cooper	Ian Wilkes	
		Emily Horsfall	Gill Heesom		
		Dave Jones	Helena Maxfield		
		Tony Kearon	Barry Panter		
		Ruth Wright	Andrew Parker		
<b>Substitutes</b>	<b>11</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>0</b>
		To follow	Jennifer Cooper	June Walklate	
			John Cooper		
			David Harrison		
<b>Economy, Environment &amp; Place SC</b>	<b>11</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>
		Silvia Burgess	John Cooper	Marion Reddish	Gary White
		Annabel Driver	David Harrison		
		Alison Gardner	Barry Panter		
		Mark Olszewski	John Tagg		
		John Williams			
<b>Substitutes</b>	<b>11</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>
		To follow	Helena Maxfield	Ian Wilkes	Simon White
			Andrew Parker		
			Paul Waring		

<b>Finance, Assets &amp; Performance SC</b>	<b>11</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>0</b>
		Andrew Fox-Hewitt	Gill Burnett	Ian Wilkes	
		Brian Johnson	John Cooper		
		Tony Kearon	Andrew Fear		
		Sarah Pickup	David Harrison		
		Mike Stubbs	Paul Waring		
<b>Substitutes</b>	<b>11</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>0</b>
		To follow	Jennifer Cooper	June Walklate	
			Gill Heesom		
			John Tagg		



## Appointment of Chairs and Vice-Chairs of Committees (in accordance with Standing Order 46(1))

Members are advised of the following nominations for the positions of Chair and Vice-Chair for the various Committees of the Council. Where there are two nominations (**highlighted in bold**), the Council must vote on which Member to appoint:-

COMMITTEE	CHAIR	VICE-CHAIR
Audit & Standards	SARAH PICKUP PAUL WARING	SYLVIA DYMOND BARRY PANTER
Conservation Advisory	JULIE COOPER ALLISON GARDNER	SUE MOFFAT BERT PROCTOR
Employment Committee	<b>PORTFOLIO HOLDER</b>	<b>NO NOMINATION REQUIRED</b>
Licensing & Public Protection	JOHN COOPER MARK OLSZEWSKI	SIMON WHITE GILL WILLIAMS
Planning	ANDREW FEAR CHRIS SPENCE	SARAH PICKUP MARION REDDISH
Health, Wellbeing & Partnerships SC	CLLR WILKES RUTH WRIGHT	TONY KEARON ANDREW PARKER
Economy, Environment & Place SC	ALLISON GARDNER GARY WHITE	CLLR REDDISH SILVIA BURGESS
Finance, Assets & Performance SC	DAVID HARRISON MIKE STUBBS	GILL BURNETT BRIAN JOHNSON
<b>MAYOR AND DEPUTY MAYOR NOMINATIONS</b>		
NOMINATION FOR MAYOR	CLLR GILL HEESOM	-
NOMINATION FOR DEPUTY MAYOR	ELIZABETH SHENTON	-

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## Outside Bodies – Community Groups

	Organisation/Partnership	Number of places	Status of Body	Current Representatives	Nominations 2018/19
	<p>Community Centres Management Committees:</p> <p>Audley                      Bradwell Lodge Community Centre *                      Butt Lane                      Chesterton                      Clayton                      Crackley                      Harriet Higgins                      Holly Road                      Knutton                      Marsh Hall                      Red Street                      Silverdale, Park Road                      Silverdale, Social Centre                      Whitfield                      Wye Road</p> <p>• CIC – Community Interest Group (Appoints own Directors)</p>	Up to 3 on each	Community		<p>Ward members automatically become the Council's nominated representatives for community centres situated within their wards for the period of their office, negating the need to make specific nominations each year</p> <p>Ward Members do not have voting rights unless co-opted or elected to the Management Committee</p>

Residents Associations

Ward Members automatically become the Council's nominated for any Residents Association within their ward for the period of their office, negating the need to make specific nominations each year.

Ward Members do not have voting rights unless co-opted or elected to the Residents Association.

## Outside Bodies – Third Sector

	Organisation/Partnership	Number of places	Status of Body	Current Representatives	Nominations 2018/19
	Community Council for Staffordshire	1	Third Sector	Simon White	<b>Simon White</b> <b>Sue Moffat</b>
	Go Kidsgrove	1	Third Sector	Portfolio Holder for Town Centres, Business and Assets	Portfolio Holder
	North Staffs Victim Support	1	Third Sector	Portfolio Holder for Safer Communities	Portfolio Holder
	Stoke-on-Trent and North Staffordshire Theatre Trust Limited (New Victoria Theatre)	1	Third Sector	Leader	Portfolio Holder
	Aspire Board This parent company ceases with effect from 1 <sup>st</sup> July 2016 therefore there is no need to nominate a replacement representative to this Board. Aspire Housing Board will in effect revert back to the parent company having two direct subsidiaries, PM Training and The Realise Foundation.	1	Local Body	Sandra Hambleton	<b>Paul Northcott</b> <b>Elizabeth Shenton</b>
	Campaign to Protect Rural England - County Branch	1	Regional Body	Wenslie Naylor	<b>Barry Panter</b> <b>Sue Moffat</b>
	Local Government Association – General Assembly	1	National Body	Leader	Leader

Local Enterprise Partnership	1	Regional Body	Leader or relevant Portfolio Holder	Leader
Page 70 Locality Action Partnerships: Adley Butt Lane Betley, Keele and Madeley Clayton Poolfields, Thistleberry and Town East Newcastle Greater Chesterton Kidsgrove Newcastle Rural Partnership of Western Communities	N/A	Local body		The LAP constitutions state that membership is open to “Any County or District Councillor representing any part of the area” - this negates the need to make specific nominations annually.
Business Improvement District	1	Local Body	Portfolio Holder for Town Centres, Property and Business	Portfolio Holder
Newcastle-under-Lyme Partnership (Local Strategic Partnership)  (Strategic Board)	1 + sub	Local Body	Leader  (substitute Deputy Leader)	Leader  (substitute Deputy Leader)
“Enjoy Staffordshire” Destination Management Partnership	1	Local Body	The Portfolio Holder – Leisure and Culture	Portfolio Holder
Staffordshire County Council Health Scrutiny Committee	1	Local body	Chair of Health Scrutiny	Chair of ‘Health’ Scrutiny
Staffordshire Health and Wellbeing Board	1	Local body	Leader or relevant portfolio holder (if required)	Leader or relevant portfolio holder (if required)

Staffordshire LGA – Waste Board	1	Local Body	Portfolio Holder for Environment and Recycling	Portfolio Holder
Staffordshire Playing Fields Association	1	Local Body	Portfolio Holder for Operational Services	Portfolio Holder
Staffordshire Police and Crime Panel	1+ sub	Local Body	Portfolio Holder for Safer Communities	Portfolio Holder
Stoke-on-Trent and Staffordshire Strategic Partnership	1	Local Body	Leader	Leader
Waste and Mineral Site Liaison Committee – Acton Composting Site (Committee is Active)  <b>ONE elected member</b> (whose ward is not specified in any related S106 agreement) - the site lies within the Loggerheads and Whitmore ward	1	Local Body	David Loades	David Harrison
Waste and Mineral Site Liaison Committee – Knutton Quarry (Committee is Active)  <b>TWO elected members</b> (the quarry lies predominately within the Knutton and Silverdale ward, with a small part located within the Silverdale and Parkside ward. There is a section 106 agreement that requires the liaison committee and for invitations for membership of up to two elected councillors. Whilst there are no conditions dictating which wards the councillors should be drawn from, it should be noted that this committee also determines community projects and the level of financial support from the S106 funds. These projects must be located within the Silverdale and Knutton ward.  Please note: Councillor Huckfield has sat on the liaison committee as a Staffordshire County Council member. It is understood that Councillor Huckfield is not seeking re-election as a Staffordshire County Councillor in May 2017	2	Local Body	Tony Eagles  Amelia Rout	<b>Brian Johnson</b>  <b>Amelia Rout</b>

<p>Waste and Mineral Site Liaison Committee – Keele (Madeley Heath) Quarry (Committee not yet Active)</p> <p><b>TWO elected members</b> (whose wards are not specified in any related S106 agreement) - the quarry lies within the Madeley ward</p>	<p>2</p>	<p>Local Body</p>	<p>Simon White Gary White</p>	<p>Simon White Gary White</p>
<p>Waste and Mineral Site Liaison Committee –Holditch House Waste Site (Committee not yet Active <i>(however as permission implemented August 2016, the County Council will be pushing the operator to arrange a meeting soon)</i>)</p> <p><b>ONE elected member</b> (whose ward is not specified in any related S106 agreement) - the site lies within the Holditch ward</p>	<p>1</p>	<p>Local Body</p>	<p>Chris Spence</p>	<p><b>Chris Spence</b></p>
<p>Waste and Mineral Site Liaison Committee –Walleys Landfill Site (Committee is Active)</p> <p><b>FOUR elected members (*previously six)</b></p> <p>Red Industries have taken over as owners and operators of the site and a unilateral undertaking has formalised the previously voluntary liaison committee (reference N.12/09/216 MW approved 26/5/2016), reducing the number of invited Borough Council elected members from 6 to 4.</p> <p>The unilateral undertaking specifies that Red Industries must invite four elected councillors on behalf of the Borough Council, plus two elected councillors from Staffordshire County Council, one elected councillor on behalf of Silverdale Parish Council and one on behalf of Knutton Parish Council (albeit that Knutton Parish Council does not exist). The undertaking does not specify from which wards the Borough Council elected members should be drawn from. Walley's Landfill site lies within the Thistleberry ward but also adjoins the Knutton and Silverdale and Silverdale and Parksites wards.</p>	<p>6</p>	<p>Local Body</p>	<p>Marion Reddish Tony Eagles Amelia Rout Gareth Snell</p>	<p>Marion Reddish Amelia Rout Dave Jones Brian Johnson</p>
<p>West Midland Reserve Forces and Cadets Association</p>	<p>1</p>	<p>Regional Body</p>	<p>Mike Stubbs</p>	<p><b>Stephen Sweeney</b> <b>Mike Stubbs</b></p>



West Midlands Employers	1 + sub	Regional Body	Leader (Substitute – Portfolio Holder for Finance & Resources)	Leader
District Councils Network	1	National Body	Leader	Leader
LGiU Assembly	1	National Body	Kyle Robinson	<b>Julie Cooper</b> <b>Kyle Robinson</b>

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348/241 Consultation with neighbouring Authority (Cheshire East Council).  
Widening of the section of the A500 that lies to the west of Junction 16  
(EIA scoping opinion 17/3640S)

1:5,000 at A3



Widening continues westward to Meremoor Moss Roundabout, Crewe

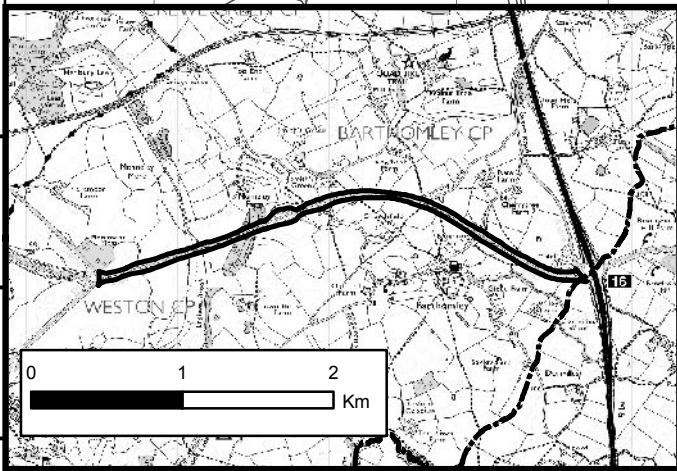
see inset below

Application site

Construction site compound

Borough boundary

M6 motorway



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