

CANNOCK CHASE COUNCIL
COUNCIL
24 AUGUST 2011
REPORT OF THE MONITORING OFFICER
SCHEME OF DELEGATIONS
KEY DECISION – NO

1. Purpose of Report

- 1.1 The purpose of the report is to provide an amended Scheme of Delegation for Officers for Council to approve.

2. Recommendation

- 2.1 Council is recommended to adopt the following document:-

a) The Scheme of Delegations to Officers in Annex 1.

3. Summary (inc. brief overview of relevant background history)

- 3.1 The Annex to this report includes an amended Scheme of Delegations for Officers which reflects the changes in management responsibilities of Chief Officers since February 2011 and the sharing of services with Stafford Borough Council. Minor administrative changes have also been included.

4. Key issues and Implications

- 4.1 Following the management re-structure implemented in February 2011 it has been necessary to review the Scheme of Delegation to Officers to ensure that appropriate Chief Officers are delegated by Council to discharge Council functions. Previously, delegations have been made to Directors, who have then delegated onwards to their respective Heads of Service. However, given the reduction in the number of directors and the changes in responsibilities at senior management level, it is now considered appropriate to make delegations directly to Heads of Service. Where necessary, certain delegations will continue to be reserved to the Chief Executive and Corporate Director only.
- 4.2 The Scheme of Delegations has also been updated to reflect the sharing of services with Stafford Borough Council. The delegations relating to services now being led by Stafford Borough Council, ie those for Legal Services and Human Resources, have been removed from the Scheme of Delegations except for a few delegations which have been retained by appropriate officers of Cannock Chase Council.

- 4.3 A number of other minor changes have been made to keep the Scheme of Delegations up-to-date and in line with best practice, eg the inclusion of delegations for Licensing.
- 4.4 It has not be practical to track all of the changes made to the Scheme of Delegations due to the extensive “cutting and pasting” required to move delegations from Directors to Heads of Service. However, where possible changes have been tracked and new delegations have been highlighted for ease of reference.
- 4.5 It should be noted that there is currently duplication within the Constitution as Section 46 “Human Resources Guidelines” overlaps with a number of delegations contained within the Scheme of Delegations. It is therefore planned to delete Section 46 in its entirety as the proposed Scheme of Delegations will supersede this.

5. Conclusions and Reason(s) for the Recommendation(s)

- 5.1 The Scheme of Delegations was out of date and the changes proposed bring it into line with the current senior management structure.
- 5.2 The move to giving delegations directly to Heads of Service improves the openness and transparency of who has authority to act on behalf of the Council.
- 5.3 Council is recommended to adopt the attached document. Further changes may be necessary during the course of the year.

6. Other Options Considered

Not applicable

7. Report Author Details

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SCHEDULE OF ADDITIONAL INFORMATION

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Section 1

Contribution to Council Priorities

The good governance of council resources, underpinned with sound financial management, efficient and transparent decision making forms a core contribution to the council's objectives.

Section 2

Contribution to Promoting Community Engagement

Not applicable

Section 3

Financial Implications

There are no financial implications arising as a direct result of this report.

Section 4

Legal Implications

The council is vested with the necessary legal powers to adopt the attached documents as a means of discharging its duties efficiently.

Section 5

Human Resource Implications

There are no human resource implications arising as a direct result of this report.

Section 6

Section 17 (Crime Prevention)

There are no Section 17 implications arising directly from this report.

Section 7

Human Rights Act Implications

There are no Human Rights Act implications arising directly from this report.

Section 8

Data Protection Act Implications

There are no identified implications in respect of the Data Protection Act arising from this report.

Section 9

Risk Management Implications

The attached documents form a key mechanism in ensuring effective management decisions and accountability for the council and its staff.

Section 10

Equality and Diversity Implications

There are no equality and diversity implications arising from this report.

Section 11

List of Background Papers

Section 12

Annexes to Report

Annex 1 – Scheme of Delegations

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Scheme of Delegations

INTRODUCTION

- 1.1 The Scheme of Delegation (“Scheme”) authorises officers to exercise the functions of the Council as set out in this document. This Scheme repeals and replaces all previous schemes of delegation and all amendments made thereto.
- 1.2 For the purposes of this Scheme, the term “Chief Officer” shall have the following meaning:
 - (a) The Chief Executive;
 - (b) The Corporate Director; and
 - (c) Heads of Service.
- 1.3
 - (a) This Scheme contains two types of authorities:
 - i Functional, operational and day to day management of services delegated to Chief Officers; and
 - ii Functions delegated to specific officers.
 - (b) Annex 1 details Reserved Authorities.
- 1.4 The exercise of any function delegated by this Scheme is subject to and must be in accordance with the following. They are listed in order of precedence, which should be followed in the event of any conflict between their provisions:
 - (a) European and National Law
 - (b) Contract Procedure Rules
 - (c) Financial Regulations
 - (d) The Scheme of Delegation
 - (e) Emergency Planning Procedure
 - (f) Other Council policies, procedures and previous decisions

- 1.5 Authorities granted within b. and c. above, take precedence over this Scheme and accordingly the implementation and interpretation of the Scheme must be considered in conjunction with both b. and c. above.
- 1.6 Any reference in this Scheme to a statute, includes any statutory instrument, regulation, order, rule, guidance or circular made under it and includes any modification amendment or re-enactment thereto.

Delegations to Chief Officers

GENERAL DELEGATIONS

- 2.1 Subject to paragraphs 2.1(a) below, Chief Officers are entitled, in their absolute discretion, to authorise named officers within their area of management to exercise all or some of their delegated functions, unless the law requires specific named officers to be given delegated authority.
- (a) Any authorisation of named officers by Chief Officers under paragraph 2.1 above shall:
- i. comply with the Council's financial regulations (if applicable);
 - ii. Be appropriately documented; and
 - iii. only occur after the relevant Chief Officer has informed the Chief Executive, the Section 151 Officer, the Monitoring Officer and if appropriate the Corporate Director. The Chief Executive shall have the power to veto any such authorisation.
- 2.2 In accordance with all relevant and applicable legislation and Council approved/adopted policies and procedures, undertake the management of those services or functions under their management including the discharge of all responsibilities, duties and obligations, exercise of all powers relating thereto and the delegation and/or authorisation of the same to suitably qualified and experienced officers.
- 2.3 To agree changes to approved capital or revenue budgets in consultation with the Section 151 Officer where Council policy is not changed; there is no additional call on the Council's own resources; and resource implications, financial and non-financial, are not created.
- 2.4 To invite tenders and award contracts in accordance with Financial Regulations and Contract Procedure Rules.
- 2.5 To determine the fees and charges for services under their control, within Council policy and the requirements of financial regulations.

- 2.6 In consultation with the Section 151 Officer, authorise the submission of external funding bids for projects/schemes that support the delivery of the Council's Corporate and Performance Plan or equivalent.
- 2.7 To select and appoint specialist professional advisors within approved budgets.
- 2.8 To discharge his/her duties in respect of Health and Safety in the workplace.
- 2.9 To accept appointments to undertake professional activity at a local, regional, national or international level in consultation with the Chief Executive or the Corporate Director as appropriate.
- 2.10 So far as the matter relates to a function for which the relevant Chief Officer is responsible to the Council:
 - (a) to serve notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976;
 - (b) to exercise any power of the Council relating to entry on land or other property for the purposes of inspection.
- 2.11 To provide goods and services and plant to other local authorities and other bodies (where permissible), in consultation with the Head of Paid Service.
- 2.12 To sell surplus materials, vehicles, plant, equipment and goods, salvage scrap, and other waste (in accordance with financial regulations).
- 2.13 To be the Proper Officer for the production of background documents in respect of any report presented to Committees etc. in their name, under the Local Government Access to Information Regulations. Where a joint report has been produced, officers will agree who will undertake the responsibility as lead officer for the report.
- 2.14 To be the Proper Officer for the opening of tenders received as appropriate.
- 2.15 To negotiate and settle contract disputes relating to their service area.
- 2.16 To manage and settle terms and conditions of contract tendering processes for their service area and ensure EU and other legal compliance.
- 2.17 To authorise the instigation of civil and criminal proceedings including the defending or opposing of any litigation for and on behalf of the Council in relation to any service area under their management control in consultation with the Legal Service.

- 2.18 Unless otherwise falling within the remit and/or responsibility of the Council's relevant Insurer, to settle, compromise, discontinue or otherwise dispose of any claim, appeal, action or complaint falling within their area of management (irrespective of whether any proceedings have been instigated), providing that legal advice has first been obtained and the relevant Chief Officer can meet the costs of the settlement, compromise, discontinuance or disposal from approved budgets.
- 2.19 To issue press statements in respect of high profile matters, in consultation with the Leader and/or relevant Portfolio Holder and the Communications Manager unless otherwise directed by the Chief Executive.

HUMAN RESOURCES DELEGATIONS

- 2.20 To determine permanent, temporary and interim departmental establishments, below Head of Service level, in accordance with Council approved/adopted procedures, subject to such variations being in accordance with current Council policy, providing the costs can be met from approved budgets.
- 2.21 To approve the filling of and appointment to vacant posts below Head of Service level within the approved establishment in accordance with Council approved/adopted procedure, providing the costs can be met from approved budgets.
- 2.22 To engage agency personnel, in accordance with Council policy, within approved budgets to fulfil service delivery requirements.
- 2.23 To determine applications for ex-gratia/honorarium payments, for employees within their area of management control, in accordance with Council approved/adopted policy, and the costs being met from within approved budgets.
- 2.24 To determine re-evaluation applications for employees below Head of Service level, in accordance the Council's approved procedure, and the costs being met from within approved budgets.
- 2.25 To suspend individual employees, within their area of management control, from the occupational sick pay scheme in accordance with national and local conditions of service and, in consultation with the HR service.
- 2.26 To, jointly with the HR service and the Head of Governance, determine claims made in accordance with the Council's Injury Allowance Scheme, providing the costs are met from within approved budgets.
- 2.27 To approve requests for unpaid leave in accordance with Council adopted/approved policies and procedures. In the absence of such policies and procedures, to exercise such discretion as is deemed fair, just and equitable in the circumstances.

- 2.28 To approve applications for requests to undertake recognised professional qualifications which will be of benefit to the Council, provided the costs can be met from within approved budgets.
- 2.29 To approve annual leave being moved between leave years.
- 2.30 To approve requests for compassionate, maternity support, paternity leave (including additional paternity leave and pay) and adoption leave in accordance with the Council's approved/adopted policies and procedures. In the absence of such policies and procedures, to exercise such discretion as is deemed fair, just and equitable in the circumstances.
- 2.31 To approve reasonable requests for time off work in respect of medical appointments, trade union duties and public duties in accordance with Council approved/adopted policies and procedures.
- 2.32 To approve requests from officers to undertake secondary employment in accordance with Council approved/adopted policies and procedures.
- 2.33 To consider, hear and/or determine grievances raised by employees within their area of management control in accordance with Council adopted/approved policies and procedures.
- 2.34 To conduct formal disciplinary and capability proceedings, including dismissal of employees below Head of Service level, in accordance with Council approved/adopted policies and procedures.
- 2.35 To hear employee appeals relating to pay, grading, grievance, capability or other related decisions, made by another Chief Officer or other formally nominated officer, in respect of all employees of the Council, with the exception of senior officers whose appeal should be conducted in accordance with the Council's approved/adopted policies and procedures and/or the relevant national conditions of service.
- 2.36 Undertake, adhere to, implement, endorse and/or ensure compliance with all the Council's approved/adopted human resource policies and procedures.
- 2.37 Where a dispute and/or conflict arises between this Scheme and the terms and conditions of Chief Officers then the relevant terms and conditions shall take precedence over this Scheme.
- 2.38 In the event that paragraph 2.37 applies and this Scheme fails or is otherwise deficient in enabling the Chief Executive to give effect to the terms and conditions of Chief Officers, the Chief Executive shall, after taking legal and human resources advice, implement, arrange and/or establish a framework/mechanism and/or undertake any steps, actions or measures as deemed necessary and appropriate to give effect to the said terms and conditions.

Functions Delegated to Specific Officers

CHIEF EXECUTIVE

- 3.1 The Chief Executive is designated as the Head of Paid Service (see Section 4 of the Local Government and Housing Act 1989)
- 3.2 To undertake all duties delegated to Chief Officers, or to delegate such duties to another Chief Officer, where permitted by law.
- 3.3 To be the authorised person for the signing of Certificates of Opinion to accompany applications for exemption for posts from political restrictions.
- 3.4 To grant concessionary and free use of civic suite facilities to recognised organisations.
- 3.5 To exercise any function of the Council not required by statute to be exercised by Full Council and not an executive function and not otherwise delegated under this Scheme.
- 3.6 To amend this Scheme, in respect of which officer is responsible for exercising which delegation, for a period of up to six months. Beyond this time, a formal amendment to the Constitution will be required.
- 3.7 To incur expenditure in respect of any major incident/emergency within or adjoining the District until the Cabinet meets. To designate any officers to carry out such functions as are deemed necessary in the circumstances.
- 3.8 To set and/or amend from time to time the scale of fees, costs, charges and expenses to be allowed for the discharge of District elections.
- 3.9 To attest the Common Seal and sign and/or execute any form, notice, order or document as required on behalf of the Council.
- 3.10 To determine any new or changed policies in respect of terms and conditions of employment and local conditions of service where agreement can be reached with the recognised trade unions through the Council's normal negotiating frameworks.
- 3.11 To consider, hear and/or determine grievances raised by Heads of Service or the Corporate Director, in accordance with Council approved/adopted policies and procedures. In the absence of any such policies or procedures, in accordance with legal requirements and recognised good practice/principles.

- 3.12 To conduct capability proceedings in respect of Heads of Service or the Corporate Director, excluding the authority to dismiss - which must be in accordance with the relevant and applicable paragraphs of this Scheme, Council approved/adopted policies and procedures and relevant national conditions of service.
- 3.13 In consultation with the HR service, to approve ill health retirements for employees ie the Corporate Director and below, in accordance with Council approved/adopted policies, providing any costs are met from within approved budgets.
- 3.14 In consultation with the HR service, to approve early retirements for employees, ie the Corporate Director and below, on the ground of efficiency of service (with no augmentation), in accordance with Council approved/adopted policy, providing there is no actuarial strain and any costs are met from within approved budgets.
- 3.15 To determine, implement and review corporate human resource procedures and best practice guidance designed to deliver Council policy in consultation with the HR service.
- 3.16 To determine, implement and review all aspects of Single Status Scheme, including job evaluation, except where such change will or may have a direct or potential impact on the Single Status Scheme and/or budgetary framework.
- 3.17 To exercise on behalf of the Council the power to grant authorisations as contained in Section 110A sub-section (3) of the Social Security Administration Act 1992 (as amended).
- 3.18 The management of the Community Alarm Scheme and the sale of alarms to individuals in bulk (including power to offer a discount) whether a private residential occupier or a Council tenant and whether or not resident in the District.

CORPORATE DIRECTOR

- 4.1 To advise on strategic issues across all areas of the Council, and to undertake specific projects within any area at the request of the Chief Executive.
- 4.2 To undertake all duties delegated to the Heads of Service under their management control, or to delegate such duties to another Head of Service, where permitted by law.
- 4.3 In the absence of the Chief Executive, to incur expenditure in respect of any major incident/emergency within or adjoining the District until the Cabinet meets. To designate any officers to carry out such functions as are deemed necessary in the circumstances.

- 4.4 In consultation with the HR service, to approve ill health retirements for employees, ie Heads of Service and below, within their area of management control, in accordance with Council approved/adopted policies, providing any costs are met from within approved budgets.
- 4.5 In consultation with the HR service, to approve early retirements for employees, ie Heads of Service and below, on the ground of efficiency of service (with no augmentation), in accordance with Council approved/adopted policy, providing there is no actuarial strain and any costs are met from within approved budgets.

HEAD OF CULTURE, LEISURE AND MAJOR PROJECTS

- 5.1 To appoint suitably qualified officers to apply for and hold Premises and Personal Licences, and all other licenses as are required to facilitate the delivery of services at Council owned venues.
- 5.2 To take action on any matter at Leisure venues to secure the safety of persons using, visiting or working at them and to ensure compliance with all aspects of the law relating thereto.
- 5.3 To determine applications for reduced hire charge for leisure facilities.
- 5.4 To manage the leisure facilities and/or to manage the culture and leisure services contracts and contractors.
- 5.5 To update, amend or vary Annex 3 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

HEAD OF PLANNING & REGENERATION

- 6.1 Subject to Council policy (where applicable), to exercise all regulatory powers, including issuing licences permits and notices and warrants, making inspections, maintaining registers, and discharging all obligations, duties and responsibilities contained within legislation listed in Annex 4.
- 6.2 To issue and administer formal cautions, prepare and issue notices and, in consultation with the Legal service, authorise prosecutions in respect of all matters falling within the service areas within their management control or within any of the legislation listed in Annex 4.
- 6.3 To apply for a warrant to enter premises where the legislation listed in Annex 4 so permits.
- 6.4 To issue and enforce fixed penalty notices where the legislation listed in Annex 4 so permits

- 6.5 To update, amend or vary Annex 4 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

Property

- 6.6 To undertake all relevant property management activities including management of the Council's retail markets; the acquisition and disposal of interests in land and premises; management of property; rent reviews; lease renewal terms; accepting the surrender of leases (in consultation with the Legal service); granting licences; granting and terminating licences for market stalls; consents for assignments; variations to user clauses; proceedings for forfeiture; marketing; acquiring consents; granting wayleaves and easements; dealing with emergencies; appointing advisors; establishing and maintaining a property terrier; submitting planning and other applications.
- 6.7 To appoint a suitably qualified officer(s) or agent(s) (where applicable and permitted):
- (a) to act as the Council's land and property valuer;
 - (b) Planning Supervisor under the Construction (Design and Management) Regulations 1995; and/or
 - (c) to undertake any aspects, scope or remit of industry recognised roles for any schemes or projects or development on land designed and managed by the Council; and
 - (d) to undertake and discharge all enforcement powers, duties, obligations and responsibilities arising out of the Council having an interest in land and premises including but not limited to the role of the Council as landowner
- 6.8 To authorise the grant of licences on standard terms where future applications are received to take over land which has been the subject of a prior Standard Licence Agreement and there are no overriding reasons to object to such a renewal.
- 6.9 To decline on behalf of the Council, offers to purchase or dispose of land where such a purchase or disposal does not accord with Council policy.
- 6.10 To proceed with the acquisition of areas of open space or amenity land required as a consequence of planning consent providing:
- (a) The land has been laid out and maintained to the satisfaction of the Council and a commuted maintenance payment has been received, or
 - (b) The Council is in receipt of a commuted maintenance payment sufficient to carry out the necessary works and maintenance.

6.11 To settle claims for compensation made in consequence of land use or management or regeneration or planning, having taken appropriate legal and technical advice, in consultation with the Corporate Director.

Planning

6.12 Subject to 6.19 below, to process and determine or instruct a suitably qualified person(s) to do so, all applications submitted under Town & Country Planning legislation, make assessments, discharge all obligations duties and responsibilities and exercise all powers and authorities that fall within the legislation (and any modifications thereto or re-enactments thereof) listed at Annex 4, and in particular but not exclusively:-

6.13 To agree, in consultation with the Legal Service, planning obligations under the Town and Country Planning legislation and any variation thereto.

6.14 To make and (within the powers of the Council) confirm:

- (a) emergency or temporary tree preservation orders (TPOs);
- (b) to deal with any unopposed applications to lop, top or fell legally protected trees and trees within conservation areas, and give grant aid therefore pursuant to Council policy;
- (c) determine applications to fell or do works to trees that are subject of a TPO;
- (d) make TPOs, and, where there are no objections, to confirm them when dealing with planning related matters; and
- (e) to exercise powers to dispense with or to enforce the duty to replace trees which are the subject to a Tree Preservation Order.

6.15 To appoint suitably qualified officers and enforce planning control or instruct a suitably qualified person(s) to do so through the provisions of that legislation set out in Annex 4 and where considered necessary and appropriate the authorisation of criminal and civil proceedings (and the defence/opposition thereof if necessary and/or the acceptance and administration of formal cautions) and/or the use of the following statutory notices:

- (a) Planning Contravention Notices
- (b) Enforcement Notices
- (c) Stop Notices and Temporary Stop Notices, in consultation with the Legal Service
- (d) Breach of Condition Notices
- (e) Notices requiring the proper maintenance of land

- (f) Enforcement of control over advertisements
- (g) Discontinuance Notices in respect of Advertisements
- (h) Any other statutory notice available to the Council under any legislation referred to in Annex 4.

6.16 In consultation with the Legal Service to issue:

- (a) Certificates of lawfulness of proposed use and development
- (b) Certificates of lawfulness of use or development
- (c) **Building Preservation Notices**

6.17 Remove unauthorised advertisements and recover the cost of removal from the offender(s).

6.18 Represent the Council in appeals, inquiries, and hearings, or instruct an appropriately qualified person to do so.

6.19 The following planning matters shall be reported to the Planning Control Committee for determination:-

- (a) All Planning Applications which in the reasonable opinion and judgement of the officer(s) duly authorised by the Corporate Director to determine planning applications (the Authorised Officer(s)) should be approved despite not fully complying with applicable Council policies, shall be reported to the Planning Control Committee for determination (whether or not any objections are received)
- (b) All Planning Applications which in the reasonable opinion of the officer(s) duly authorised by the Corporate Director to determine planning applications (the Authorised Officer(s)):-
 - i Is a major application which although complying with all policy requirements generates/leads to significant public opposition;
 - ii Has been made by a serving Member of the Council or an employee of the Council;
 - iii Is a major application and has been made by or on behalf of the Council;
 - iv Relates to a telecommunications development which involve the erection or installation of new masts to which there has been recorded public opposition and are not proposed to be refused by officers; and/or

- v Results in a request being received from an objector or the applicant seeking to address the Planning Control Committee in connection with the determination of the Planning Application;
- (c) All Planning Applications where a Member of the Council has made a formal written request (using the necessary referral form available from the Council's Planning Section), which must:
 - i set out the specific reasons for why the request is being made for the Planning Application to be referred to the Planning Control Committee for determination; and
 - ii be received by the Council's Planning Section within the initial 21 day consultation period.
- (d) All formal enforcement actions under the Town & Country Planning Acts, or decisions to make Tree Preservation Orders (TPO) and there is an unresolved objection to the proposed TPO or an unresolved complaint about the planning enforcement matter where officers are not recommending formal enforcement action.

Building Control

- 6.20 To determine all matters concerning the provision of building regulations activities including plans vetting, site inspections, enforcement of the building regulations, relaxation of building regulations, dangerous structures and ruinous and dilapidated buildings and neglected sites, demolition notifications and notifications under the Building (Approved Inspector) Regulations.
- 6.21 To obtain information and entry to land using provisions under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 95 and 96 of the Building Act 1984, in relation to the service of statutory notices under the Building Act.
- 6.22 To exercise powers under the Party Walls etc. Act 1996 to act as Appointing Officer in appointing a Third Surveyor if called upon to do so.
- 6.23 To determine the level of charges in accordance with The Building (Local Authority Charges) Regulations 2010.
- 6.24 To sign and serve notices under the following sections of the Building Act 1984:
 - (a) Section 32 - Lapse of deposit of plans
 - (b) Section 36 (removal or alteration of +offending work)
 - (c) Section 73 (raising of chimney)
 - (d) Section 77 and 78 (dangerous building)
 - (e) Section 79 (verminous and dilapidated buildings and neglected sites)
 - (f) Section 81 (control of demolition)

- 6.25 To sign and serve Decision Notices and letters giving notice of the Council's decision in relation to Building Regulations applications, Building Notices, Initial Notices, plans, certificates and final certificates, Regularisation Certificates and Completion Certificates.

HEAD OF ENVIRONMENTAL HEALTH

- 7.1 To enter into agreements under Prevention of Damage by Pests Act 1949.
- 7.2 To enforce Section 20 Local Government (Miscellaneous Provisions) Act 1976 and associated legislation – provision of sanitary accommodation at places of entertainment.
- 7.3 To determine grant applications with respect to Smoke Control.
- 7.4 To determine applications for Street Trading consents.
- 7.5 To appoint such officers to be inspectors pursuant to Section 19 of the Health & Safety at work etc Act and authorised to exercise the powers of an Inspector within the District of Cannock Chase under Sections 20, 21, 22, 25, 38 and 39 of the Act and any Regulations made by the Secretary of State under Section 15;
- 7.6 To appoint and authorise officers pursuant to Section 5 of the Food Safety Act 1990 and is authorised to exercise statutory powers and duties granted to the Council by Regulations, Orders and Statutory Instruments exacted pursuant to any provisions of the Act.
- 7.7 Appoint Proper Officers under Public Health (Control of Diseases) Act 1984 and National Assistance Acts 1948 and 1951
- 7.8 To appoint suitably qualified and experienced persons to undertake remedial action and represent the Council at Court, under Sections 188, 193, 211 and 212 of the Housing Act 1996 (as amended by the Homelessness Act 2002).
- 7.9 Where permissible, appoint persons not employed by the Council as required to assist the Council in discharging its duties in respect of any legislation listed in Annex 5.
- 7.10 Power to enforce the provisions of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 (S.I. 2002 No. 1808) and issue Fixed Penalty where driver refuses to co-operate.
- 7.11 To determine all applications for home improvement grants and to exercise all other functions in respect thereto.
- 7.12 To issue and enforce licences and inspect and enforce compliance with the law for residential caravan sites.

- 7.13 Subject to Council policy (where applicable), to exercise all regulatory powers, including issuing licences permits and notices and warrants, making inspections, maintaining registers, and discharging all obligations, duties and responsibilities contained within legislation listed in Annex 5.
- 7.14 To issue and administer formal cautions, prepare and issue notices and authorise prosecutions, in consultation with the Legal service, in respect of all matters falling within the service areas within their management control or within any of the legislation listed in Annex 5.
- 7.15 To apply for a warrant to enter premises where the legislation listed in Annex 5 so permits.
- 7.16 To issue and enforce fixed penalty notices where the legislation listed in Annex 5 so permits
- 7.17 To update, amend or vary Annex 5 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

Licensing

- 7.18 The determination of sexual entertainment venues licences except where there are relevant objections to the application where the application and determination will be referred to the Public Protection Committee.
- 7.19 The enforcement of all licensing matters in any manner permitted by law.
- 7.20 To issue hackney carriage and private hire drivers licences where no offences by the applicant are revealed.
- 7.21 To issue hackney carriage and private hire vehicle licences and private hire operators licences and any other related licence with the discretion to refer applications where offences by the applicant have been revealed, or proposed revocations or refusal of renewals where objections of relevance have been made, to the Public Protection Committee in accordance with Council policy and guidelines.
- 7.22 To issue revoke and enforce all permits and licences within the remit of a District Council in any legislation listed in Annex 5 (with the exception of the Licensing Act 2003 and the Gambling Act 2005) with discretion to refer any controversial matter to the Public Protection Committee.
- 7.23 To process all applications under the licensing Act 2003 and Gambling Act 2005.
- 7.24 To refer all applications made under the Licensing Act 2003 and Gambling Act 2005 to the Licensing Committee (or sub-committee) where there are relevant objections, or matters of public interest, and in accordance with the law, policy, and national and local guidelines.

7.25 To determine all applications made under the Licensing Act 2005 and Gambling Act 2005 other than those referred to the Licensing Committee (or sub-committee).

HEAD OF ENVIRONMENTAL SERVICES

- 8.1 To make and (within the powers of the Council) confirm:
- (a) emergency or temporary tree preservation orders (TPOs);
 - (b) to deal with any unopposed applications to lop, top or fell legally protected trees and trees within conservation areas, and give grant aid therefore pursuant to Council policy;
 - (c) determine applications to fell or do works to trees that are subject of a TPO;
 - (d) make TPO's, and, where there are no objections, to confirm them when dealing with planning related matters; and
 - (e) to exercise powers to dispense with or to enforce the duty to replace trees which are the subject to a Tree Preservation Order.
- 8.2 To update, amend or vary Annex 6 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

Transportation

- 8.3 To hold, or to appoint a suitably qualified officer, on behalf of the Council the Heavy Goods Vehicle Operators Licence (O Licence) and to maintain the schedule of vehicles covered by the O Licence.
- 8.4 To undertake and implement all necessary measures necessary to comply with all relevant and associated legislation governing the O Licence.

HEAD OF HOUSING

- 9.1 Subject to Council policy (where applicable), to exercise all regulatory powers, including issuing permits and notices and warrants, making inspections, maintaining registers, and discharging all obligations, duties and responsibilities contained within legislation listed in Annex 7.
- 9.2 To prepare and issue notices and authorise prosecutions in respect of all matters falling within the service areas within their management control or within any of the legislation listed in Annex 7.

- 9.3 To update, amend or vary Annex 7 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.
- 9.4 To apply for a warrant to enter premises where the legislation listed in Annex 7 so permits.
- 9.5 To update, amend or vary Annex 7 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

HRA

- 9.6 To enforce the Council's conditions of tenancy including authorisation of proceedings for injunctions and repossession.
- 9.7 To hear and determine appeals in respect of introductory tenancies in accordance with legislation and Council approved/adopted policies and procedures
- 9.8 To determine annual grants to tenants and Residents Associations and the Chase Tenants and Residents Federation.
- 9.9 To determine, within agreed budgets, planned maintenance programmes in accordance with the results of the stock condition survey.
- 9.10 To determine annual decoration and disturbance allowances.
- 9.11 To determine social need and medical priorities (following recommendations of the Medical and Social Assessment Panels) in respect of housing applications and transfer requests.
- 9.12 To undertake the day to day administration and management of the housing register and the allocation of houses (whether by secure tenancy, by nominations to the properties of another body, by licence, or otherwise) in accordance with the approved policies of the Council and including in respect of property rejected by all qualified applicants, to an applicant who would not normally qualify within the Council's existing allocations policy.
- 9.13 To fix rents for all Council dwellings within the context of the Rent Restructuring Framework and the Council's rent policy.
- 9.14 To deal with claims for home loss or disturbance payments.
- 9.15 To determine, in accordance with approved policy, the eligibility of tenants in respect of the vulnerable grass cutting and internal decoration scheme.

Strategic Housing

- 9.16 To discharge any and all duties, obligations and responsibilities arising under Part VII of the Housing Act 1996 (as amended).
- 9.17 To exercise any and all powers and authorities available under Part VII of the Housing Act 1996 (as amended) as deemed necessary and appropriate to discharge any and all duties, obligations and responsibilities arising under Part VII of the Housing Act 1996 (as amended).

HEAD OF POLICY

- 10.1 To carry out the Council's responsibilities for naming and numbering streets.
- 10.2 To act as the Council's Data Protection Officer and Freedom of Information Officer.
- 10.3 To give consent to the exercise by police of powers to disperse groups of young persons under Part 5 of the Anti Social Behaviour Act 2003.
- 10.4 To update, amend or vary Annex 8 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

HEAD OF GOVERNANCE

- 11.1 To administer the Corporate Training budget and to approve spending against that budget in consultation with the lead HR Professional.

HEAD OF FINANCIAL MANAGEMENT

- 12.1 In the absence of the Chief Executive, to incur expenditure in respect of any major incident/emergency within or adjoining the District until the Cabinet meets. To designate any officers to carry out such functions as are deemed necessary in the circumstances.
- 12.2 In consultation with the HR service, to undertake, determine and implement an annual review of the Council's subsistence rates for employees, including the rates applied as part of the post entry training facilities, and the relocation package offered to newly appointed employees, in line with inflation.
- 12.3 To apply for a warrant to enter premises where the legislation listed in Annex 9 so permits.

- 12.4 To update, amend or vary Annex 9 as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

Finance

- 12.5 To consider and determine applications for car loans in accordance with the Council's policies and to make arrangement for payment and collection of sums due under any car loan agreement.
- 12.6 To determine and review as necessary the interest rate payable on Council car loans and mortgages.
- 12.7 To bring back into account dividends received from receivers or liquidators and any other sums received in respect of debts previously written off.

Local Taxation

- 12.8 To determine Liable Persons, Liability Periods, Eligibility for statutory discounts, exemptions and reliefs and any other matter referred to in the appropriate statute necessary to calculate the due amount for which a Council Taxpayer or National Non-domestic Ratepayer is liable.
- 12.9 Appointment under section 112 of the Local Government Act 1972, to collect and recover any Council Tax or National Non-Domestic Rate payable on dates previously determined. In the event of a Council Taxpayer or National Non-Domestic Ratepayer defaulting, to implement the appropriate recovery proceedings and issue appropriate notices for the recovery of the amounts due.
- 12.10 To determine Council Tax and Non Domestic Rate Non Valuation Appeals on behalf of the Council
- 12.11 To raise and quash penalties imposed under Schedule 3 of the Local Government Finance Act 1992.
- 12.12 To deal with other matters relating to Council Tax on behalf of the Council, with the exception of those specifically requiring Council approval in law (e.g., setting of Council Tax,).
- 12.13 To sign complaint lists, liability order lists, attachment of earnings orders and deductions of benefit orders and to authorise the levy of distraint on behalf of the Council.
- 12.14 To agree and authorise the appropriate allocations of occupied and unoccupied premises in order to calculate empty rate allowance under Section 44A Local Government Finance Act 1988.
- 12.15 To confirm all valid applications for Mandatory Rate Relief.

- 12.16 To deal with other matters relating to Non-Domestic Rates on behalf of the Council, with the exception of those specifically requiring Council approval in law.
- 12.17 To administer, collect and recover Business Improvement District (BID) levies in respect of any BID established and approved within the Cannock Chase District.

Benefits

- 12.18 To determine all applications for Housing Benefit and Council Tax Benefit
- 12.19 To consider and determine discretionary housing payments.
- 12.20 To calculate and recover overpayments of Housing Benefit and Council Tax Benefit in accordance with relevant legislation.
- 12.21 To determine applications for back dating of housing and/or council tax benefits.
- 12.22 To exercise the Council's discretion in administering Regulation 11 of the Housing Benefit (General) Regulations 1987.
- 12.23 To deal with all other matters relating to Housing and Council Tax Benefits on behalf of the Council, with the exception of those specifically requiring Council approval in law.
- 12.24 To authorise and issue sanctions including Administrative Penalties, Formal Cautions, and Prosecutions in respect of Housing Benefit and Council Tax Benefit Fraud.

SECTION 151 OFFICER (CHIEF FINANCE OFFICER)

- 13.1 To act as the Council's Chief Finance Officer in accordance with:
 - (a) Section 151 of the Local Government Act 1972 (Section 151 Officer), and
 - (b) Section 114 of the Local Government Finance Act 1988 (Section 114 Officer),
- 13.2 To exercise (so far as may be lawful) the powers of the Council to borrow and invest; and to lend (including loans on mortgage), and to determine rates of interest and terms of repayment on such loans as may be required or prudent from time to time, and to administer any mortgage.
- 13.3 To determine the method of financing of capital projects within the overall financing reserves strategy of the Council.
- 13.4 To maintain a Registrar of Council Bonds and Stock Issues and declarations and certificates relating to securities.

- 13.5 To exercise on behalf of the Council the power to grant authorisations as contained in Section 110A sub-section (3) of the Social Security Administration Act 1992 (as amended).

MONITORING OFFICER

- 14.1 To undertake all the duties of the Monitoring Officer as provided by law.
- 14.2 The person appointed by the Council as Monitoring Officer in addition to undertaking the statutory functions of the post as listed in the Monitoring Officer Protocol shall;
- (a) Review and maintain the Council's Constitution,
 - (b) To appoint and or instruct any legal adviser or investigator (or such other persons) as required for the benefit of the Council.
 - (c) To attest the Common Seal and sign and/or execute and/or attest any form, notice, order or document as required on behalf of the Council.

Annex 1

Reserved Authorities

Preamble

- i. For the avoidance of any doubt, not all functions, powers or tasks have been delegated to Chief Officers or officers under this Scheme.
- ii. The functions, powers and tasks set out in this Annex are not intended to be and are not delegated to officers.
- iii. This Annex sets out and confirms which functions, powers and tasks (which must be considered in conjunction with the Council's Constitution) that have been reserved to Council, Cabinet and specific Council committees and panels.

Deleted: Directors

COUNCIL

- 1.1 To approve the senior management structure of the Council above Service Manager level and any amendments thereto.

Deleted: Head of Service

Appointments and Dismissals

- 1.2 The appointment and dismissal of the Chief Executive.
- 1.3 The allocation of the responsibilities to the Head of Paid Service, the Monitoring Officer and the Section 151 Officer, and the removal thereof.

Policy – Terms and Conditions of Employment

- 1.4 The Council's policies in respect of pensions shall be determined by full Council.
- 1.5 Full Council will determine any new or changed policies in respect of terms and conditions of employment and local conditions of service where agreement cannot be reached between the Chief Executive and the recognised trade unions through the Council's normal negotiating machinery.

Early Retirement and Voluntary Redundancy

- 1.6 The Council will determine the policy for pension issues, early retirement and redundancy, including the policy in respect of granting of augmented service.

Disciplinary Action

- 1.7 Subject to the Terms of Reference, Council may suspend the Head of Paid Service (the Chief Executive), Monitoring Officer or Section 151 Officer, in accordance with their relevant terms and conditions of employment, whilst an investigation takes place into alleged misconduct. Such suspension must be on full pay and last no longer than two months.
- 1.8 No other disciplinary action may be taken in respect of any of these officers except in accordance with a recommendation in a report made by a designated independent person appointed pursuant to Regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.

Grievances

- 1.9 The Council shall consider grievances originated by or against the Head of Paid Service (the Chief Executive) in accordance with the Council's policies and procedures.

CABINET

Pay and Grading Issues

- 2.1 All pay and grading issues relating to Chief Officers will be determined by the Cabinet.

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Early Retirement and Voluntary Redundancy

- 2.2 Any retirement, other than on the grounds of permanent ill health, where access to augmented service to an employee's pension or the payment of actuarial strain is a consideration, the Cabinet will determine whether the augmented service will be granted or actuarial strain paid within the Council's policy.
- 2.3 Subject to paragraph 2.4 below, for any early retirement/termination or redundancy where the payment of actuarial strain is a consideration Cabinet approval shall first be required before any proposed early retirement/termination redundancy can take effect.
- 2.4 Cabinet approval, as referred to in paragraph 2.3 above shall not be required where early retirement/termination or redundancy has been approved as part of the annual budget setting process and details of the associated costs of any proposed redundancies or early retirements/terminations set out in the "Savings Option Taken from the Budget" Annex of the Budget Statement, or other report to Council as part of the annual budget.

STANDARDS COMMITTEE

- 3.1 Disciplinary action in respect of any other Chief Officer will be undertaken by the Standards Committee, in accordance with their relevant terms and conditions of employment and relevant local procedures. If the Standards Committee considers dismissal to be appropriate, it shall recommend accordingly to the appropriate body.

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APPOINTMENTS PANEL

- 4.1 The appointment of Directors and Heads of Services shall be made by the Appointments Panel appointed by the Council.

APPEALS AND COMPLAINTS PANEL

- 5.1 The Council's Appeals and Complaints Panel will hear employee appeals relating to disciplinary and other related decisions, made by either the Cabinet, Standards Committee, the Chief Executive or an officer nominated by the Chief Executive, in respect of Chief Officers of the Council, with the exception of the Head of Paid Service, the Section 151 Officer and the Monitoring Officer whose appeal procedures should be in accordance with their conditions of service.

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- 5.2 Chief Officers may appeal against the salary for post to a Panel appointed by the Council, comprising elected Members and / or management. This Panel should be chaired by an independent person.

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Deleted: t Authority level"

PROCEDURAL REQUIREMENTS

- 6.1 Pursuant to 1.2 and 4.1, no offer of appointment shall be made until
- (a) the appointing body¹ has notified the Proper Officer (See definition below) of the name of the potential successful applicant and any other particulars that the appointing body considers relevant to the appointment
 - (b) the Proper Officer has notified every member of the Cabinet of:
 - i. the name of the potential successful applicant;
 - ii. any other particulars that the appointing body considers relevant to the appointment which have been notified to the Proper Officer; and
 - iii. the time within which the Leader on behalf of the Cabinet must object to the potential successful applicant being offered the post, such time being no less than 10 working days

AND

- (c) either:
 - i. the Leader has within the period notified to the Cabinet informed the appointing body that none of the Cabinet has any objection to the appointment; OR
 - ii. the Proper Officer has received no objections from the Leader within that period and has notified the appointing body of that; OR
 - iii. the appointing body is satisfied that any objections from the Leader received within the period are either not material or not well-founded.

6.2 Pursuant to 1.2 notice of dismissal must not be given until:

- (a) the dismissing body² has notified the Proper Officer of the name of the officer to be dismissed and any other particulars that the dismissing body considers relevant to the dismissal
- (b) the Proper Officer has notified every member of the Cabinet of:
 - i. the name of the officer to be dismissed;
 - ii. any other particulars that the dismissing body considers relevant to the dismissal which have been notified to the Proper Officer; and
 - iii. the time within which the Leader on behalf of the Cabinet must object to the dismissal, such time being no less than 10 working days

AND

- (c) either:
 - i. the Leader has within the period notified to the Cabinet informed the dismissing body that none of the Cabinet has any objection to the dismissal; OR
 - ii. the Proper Officer has received no objections from the Leader within that period and has notified the dismissing body of that; OR
 - iii. the dismissing body is satisfied that any objections from the Leader received within the period are either not material or not well-founded.

6.3 For the purposes of 6.1 and 6.2, “Proper Officer” means the Chief Executive except when the appointment proposed is of an officer to be Head of Paid Service or the dismissal proposed is of the current holder of that post. In these circumstances, the Monitoring Officer shall be the Proper Officer.

- 1 This means the Council or the Panel charged with making the appointment
- 2 This means the council or the panel deciding to dismiss



Deleted:³ The term 'senior officer' within these guidelines refers to the Chief Executive, Directors and Heads of Service employed on JNC conditions of services.⁴

Annex 2

Designation of Proper Officers and Authorised Officers

Details of Proper Officers and authorised officers are set out below:

A. CHIEF EXECUTIVE

1. The Chief Executive is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
 - (a) Electoral Registration Officer for the Council.
 - (b) Returning Officer at Parish and District elections, Local Polls and Referendums.
 - (c) Returning Officer, Acting Returning Officer and Deputy Acting Returning Officers in connection with General Elections, European Elections, County Elections and National Referenda.
 - (d) Accepting Declarations of Acceptance of Office from elected Members within 2 months of the day of election.
 - (e) Summonses to attend meetings of the Council.
 - (f) In respect of the provisions of the Health and Safety at Work etc. Act 1974 for the Council's operation.

B. HEAD OF ENVIRONMENTAL SERVICES

2. The Head of Environmental Services is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
 - (a)_ In respect of the Council's role as Burial Authority.

C. HEAD OF PLANNING & REGENERATION

3. The Head of Planning & Regeneration is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
- (a) For the signing of notices under Section 78 of the Building Act 1984.

D. HEAD OF FINANCIAL MANAGEMENT

4. The Head of Financial Management is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
- (a) For the purpose of Section 151 of the Local Government Act 1972 (Section 151 Officer).
- (b) For the purpose of Section 114 of the Local Government Finance Act 1998 (Section 114 Officer).

E COUNCIL SOLICITOR AND MONITORING OFFICER

5. The Council Solicitor and Monitoring Officer is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
- (a) The opening of tenders.
- (b) The signing of legal documents and contracts.
- (c) Unless specifically delegated to another officer, for the signing and authentication of all notices (enforcement or otherwise) issued by the Council e.g., dangerous buildings, change of use, rent review
- (d) For the purposes of Section 3 of the Local Government (Contracts) Act 1997 and Regulation 7 of the Local Government (Contracts) Regulations 1997.
- (e) In the absence of the Chief Executive, to issue summonses to attend meeting of the Council.

F HEAD OF GOVERNANCE

6. The Head of Governance is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
- (a) Maintaining the local land charges register and responding to queries
- (b) As local registrar under Section 15 of the Land Charges Act 1925.

Annex 3

Legislation-

Culture and Leisure

Cinemas Act 1985
Theatres Act 1968

and all Regulations or Orders made or deemed to be made under those Acts or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and any amendments, modifications or re-enactment to the foregoing.

Annex 4

Legislation- Planning & Regeneration

Planning:

- Parts II, III, IV, V, VII, VIII, ss257-260, of the Town and Country Planning Act 1990
- Town and Country Planning (Development Management Procedure) (England) Order 2010
- Planning (Listed Buildings and Conservation Areas) Act 1990.
- Planning and Compensation Act 1991
- Planning Act 2008
- Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- Town and Country Planning (General Permitted Development Order) 1995 (1995/418)
- Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.
- Hedgerow Regulations 1997
- Town and Country Planning (Trees) Regulations 1999

Building Control:

- Building Act 1984
- The Building Regulations 2010
- Building (Approved Inspector etc) Regulations 2010
- The Building (Local Authority Charges) Regulations 2010

Property Services:

- Local Government Act 1972
- Local Government Act 1972:General Disposal Consent(England)2003
- Landlord and Tenant Act 1954

Regeneration:

- The Local Government Act 2000
- The Planning and Compulsory Purchase Act 2004
- The Local Government and Public Involvement in Health Act 2007
- The Local Democracy, Economic Development & Construction Act 2009.

and all Regulations or Orders made or deemed to be made under those Acts or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and any amendments, modifications or re-enactment to the foregoing.

Annex 5

Legislation-

Environmental Health

Animal Boarding Establishments Act 1963
Animal Health & Welfare Act 1981 and 1984
Animal Welfare Act 2006
Anti Social Behaviour Act 2003
Breeding of Dogs Act 1973 and 1991
Breeding & Sale of Dogs (Welfare) Act 1999
Building Act 1984
Caravan Sites Act 1968
Caravan Sites and Control of Development Act 1960
Charities Acts 1992 and 2006
Clean Air Act 1993
Clean Neighbourhoods & Environment Act 2005
Control of Pollution Act 1974
Criminal Justice and Police Act 2001
Criminal Justice and Public Order Act 1994
Dangerous Dogs Act 1989 and 1991
Dangerous Wild Animals Act 1976
Environment Act 1995
Environmental Protection Act 1990
Food & Environment Protection Act 1985
Food Hygiene (England) Regulations 2006
Food Safety Act 1990
Gambling Act 2005
General Food Regulations 2004
Guard Dogs Act 1975
Health Act 2006
Health & Safety at Work etc Act 1974
House to House Collections Act 1939
Housing Acts 1985 and 2004
Housing (Grants, Construction & Regeneration) Act 1996
Land Compensation Act 1973
Land Drainage Act 1991
Licensing Act 2003
Litter Act 1983
Local Government & Housing Act 1989

Local Government (Miscellaneous Provisions) Act 1976 and 1982
Mobile Homes Act 1975 & 1983
Mines and Quarries Act 1954
National Assistance Act 1948
Noise Act 1996
Noise and Statutory Nuisances Act 1993
Offices Shops & Railway Premises Act 1963
Pet Animals Act 1951
Police Factories etc (Miscellaneous Provisions) Act 1916
Pollution Prevention & Control Act 1999
Prevention of Damage by Pests Act 1949
Private Security Industry Act 2001
Public Health Act 1875, 1936 and 1961
Public Health (Control of Diseases) Act 1984
Radioactive Substances Act 1993
Refuse Disposal (Amenity) Act 1978
Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
Rent (Agriculture) Act 1976
Riding Establishments Act 1964 and 1970
Road Traffic Act 1988
Slaughter of Poultry Act 1967
Sunday Trading Act 1994
Town Police Clauses Act 1847
Traffic Management Act 2004
Transport Act 1985
Scrap Metal Dealers Act 1964
Vehicles (Crime) Act 2001
Water Industry Act 1991
Zoo Licensing Act 1981

and all Regulations or Orders made or deemed to be made under those Acts or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and any amendments, modifications or re-enactment to the foregoing.

Annex 6

Legislation-

Environmental Services

Control of Off-Street Parking (England and Wales) Order 1978
Environment Act 1995
Environmental Protection Act 1990
Land Drainage Act 1991
Local Government & Housing Act 1989
Local Government (Miscellaneous Provisions) Act 1976 and 1982
Local Transport Act 2008
Refuse Disposal (Amenity) Act 1978
Water Industry Act 1991
Sections 197-214 of the Town & Country Planning Act 1990
Hedgerow Regulations 1997
Town and Country Planning (Trees) Regulations 1999

and all Regulations or Orders made or deemed to be made under those Acts or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and any amendments, modifications or re-enactment to the foregoing.

Annex 7

Legislation-

Housing

Anti Social Behaviour Act 2003

Homelessness Act 2002

Housing Acts 1985, 1996, and 2004

Housing (Grants, Construction & Regeneration) Act 1996

Housing and Regeneration Act 2008

Local Government & Housing Act 1989

Local Government (Miscellaneous Provisions) Act 1976 and 1982

and all Regulations or Orders made or deemed to be made under those Acts or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and any amendments, modifications or re-enactment to the foregoing.

Annex 8

Legislation-

Policy

Anti Social Behaviour Act 2003

and all Regulations or Orders made or deemed to be made under those Acts or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and any amendments, modifications or re-enactment to the foregoing.

Annex 9

Legislation-

Financial Management

Housing Benefit (General) Regulations 1987
Council Tax Benefit (General) Regulations 1992
Council Tax (admin& enforcement) Regulations 1992
Social Security Admin Act 1992
NNDR (Collection and Enforcement) 1989
General Rate Act 1967
Social Security Contributions and Benefits Act 2002

and all Regulations or Orders made or deemed to be made under those Acts or relating to the foregoing or having effect by virtue of the European Communities Act 1972; and any amendments, modifications or re-enactment to the foregoing.