

Subject:	Constitution Review		Status:	For Publication	
Report to:	Governance Working Group Council		Date:	30 th August 2018 26 th September 2018	
Report of:	Monitoring Officer		Portfolio Holder:	Regulatory Services	
Key Decision:	No - reserved for Council	Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>	
Equality Impact Assessment:		Required:	No	Attached:	No
Biodiversity Impact Assessment		Required:	No	Attached:	No
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1.	RECOMMENDATIONS
1.1	That Council agree the changes to the Constitution in relation to: <ul style="list-style-type: none"> Changes required to update the Overview and Scrutiny Procedure Rules (Appendix A). Changes required to update the Officer Delegation Scheme (Appendix C).
1.2	That Council agree the new Task and Finish Group reporting process (Appendix B).

2. PURPOSE OF REPORT

- 2.1 To bring the Overview and Scrutiny Procedure Rules up to date.
- 2.2 To review and update the Officer Delegation Scheme in Part 3 of the Constitution.
- 2.3 To agree the new Task and Finish Group reporting process.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following of the Council's corporate priorities:
 - A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation in this report involve risk considerations as set out below:
 - Failure to maintain and follow an up-to-date Constitution risks legal proceedings being taken against the Council, and risks members of the community being dissatisfied with the action of the Council.

5. BACKGROUND AND OPTIONS

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- 5.1 At the Overview and Scrutiny Committee 18th June 2018 members recommended Council

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to update the Task and Finish Group reporting process, which is detailed in the Overview and Scrutiny Procedure Rules, and to make the necessary changes to the Council's Constitution (Appendix A).

- 5.2 At present, once a Task and Finish Group has completed its work the process is:-
- Report is taken to O&S Committee.
 - O&S decides who the report is circulated to, which includes the relevant Cabinet Member.
 - Cabinet responds to the report.
 - The Cabinet response is taken back to an O&S Committee.
- 5.3 This procedure can take some considerable time, therefore the new procedure (Appendix B) is designed to speed up and modernise the process so that once the Task and Finish Group have finalised their report, it can be sent to the relevant places and people, and the O&S Committee will see the final version, complete with responses. Involving the Portfolio Holders, relevant Senior Manager and the relevant Management Team Meeting at an earlier stage should also ensure there is a more efficient response process before the report goes into the public domain.
- 5.4 In addition to changes to the Task and Finish Group reporting process a few additional changes are required to bring the Overview and Scrutiny Procedure Rules up to date.
- 5.5 Minor changes are required to the Councillor Call for Action section to bring contact details up to date as well as those consulted on the request form.
- 5.6 In relation to crime and disorder, section 12 is no longer relevant since it related to the former Rossendale Crime and Disorder Partnership, therefore it is recommended to reword this section to reflect that a yearly update will be provided from Lancashire Police.
- 5.7 Members are asked to review and consider the above changes to the Overview and Scrutiny Procedure Rules as detailed in Appendix A.

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- 5.8 The Officer Delegation Scheme section is currently out of date and requires amending to bring it in line with the current director positions and to ensure each director has the correct delegations assigned to them for the running of the day to day business of the Council.
- 5.9 Members are asked to review the changes which are detailed in Appendix C.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

- 6.1 There are no material financial implications arising from the report.

7. MONITORING OFFICER

- 7.1 All legal implications are commented upon in the body of the report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

- 8.1 Consultation with Statutory Officers, Management Team, Legal Officers, Committee and Member Services and the Governance Working Group.

- 8.2 The Overview and Scrutiny Committee reviewed the Task and Finish Group reporting

process (Appendix B) on 18th June 2018 and recommended the following:

- That the revised Task and Finish Group Reporting Procedures are recommended to Full Council for approval.
- That Governance Working Group and Full Council agree the Constitution amendments in relation to the new process.

8.3 The Governance Working Group reviewed the proposed changes to the Overview and Scrutiny Procedure Rules and the Officer Scheme of Delegation on 30th August 2018 and recommended the changes to Council for approval.

9. CONCLUSION

9.1 The Council is required by law to implement a Constitution and it is in the interests of the Council to regularly review and update the document.

Background Papers

Document	Place of Inspection
The Constitution of the Council	https://www.rossendale.gov.uk/downloads/download/10710/constitution

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Introduction

The Council will have an Overview and Scrutiny Committee, the functions of which are set out in the Terms of Reference part of this Constitution (Part 3).

The Overview and Scrutiny Committee may, after consulting appropriate interested parties, appoint Task and Finish Groups.

The Council will establish and maintain a “Scrutiny ~~Paek~~Guide” which will contain details of additional procedures to be followed in carrying out the functions of the committee.

1. Who may sit on the Overview and Scrutiny Committee or Task and Finish Groups?

In order to ensure openness, transparency and accountability of decision making, the Council will exclude the Leader and Deputy Leader of the Council and Members of the Cabinet from membership of the Overview and Scrutiny Committee. However, such a Member may attend the Overview and Scrutiny Committee to give evidence, if so requested by the Overview and Scrutiny Committee.

A Member of the Overview and Scrutiny Committee may not take part in the discussion or voting on the scrutiny of a decision in which he or she ~~has been~~was involved ~~(as a committee member or as a substitute) as a substitute Member at the meeting at which the decision was made, or by virtue of his or her membership of the Committee making that decision (whether or not the Member was in attendance at the particular meeting when the decision was made).~~

Task and Finish Groups may also be used to support the work of the Overview and Scrutiny Committee.

2. Co-optees

The Overview and Scrutiny Committee shall be entitled to appoint persons who are not members of the Authority in a non-voting capacity.

3. Work Programme

The Overview and Scrutiny Committee will be responsible for setting its own work programme.

4. Agenda Items

- a) Any Member of the Overview and Scrutiny Committee shall be entitled to give notice to the Proper Officer that he or she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Proper Officer will ensure that it is included on the next available agenda.
- b) Any Members of the Council who are not Members of the Overview and Scrutiny Committee may give written notice to the Proper Officer that they wish an item to be included on the agenda of the Overview and Scrutiny Committee. If the Proper Officer receives such a notification, then he or she will include the item on the first available agenda of the Overview and Scrutiny Committee for consideration by that Committee.

5. Policy Development and Overview

- a) The Overview and Scrutiny Committee may make proposals to the Council or Cabinet for developments in so far as they relate to matters within their Terms of Reference.
- b) The Overview and Scrutiny Committee may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration, ~~and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so (subject to their own budget as agreed by Full Council).~~

6. Reports from the Overview and Scrutiny Committee

- a) Once the Overview and Scrutiny Committee has completed its deliberations on any matter, it will prepare a formal recommendation or report and submit it to the Council, the Cabinet, Regulatory Committee or other body as appropriate.
- b) The Council, the Cabinet, the Committee or Regulatory Committee shall consider the report of the Overview and Scrutiny Committee within one Committee cycle of receiving it. Within two months of their first consideration of a report from the Overview and Scrutiny Committee, the Council, Cabinet, the Committee or Regulatory Committee will report back to the Overview and Scrutiny Committee with their findings. The report will provide a reasoned argument for their findings, particularly where those differ from the recommendations of the Overview and Scrutiny Committee. Their report will also include, where appropriate, an action plan and timetable to facilitate future scrutiny.
- c) For task and finish group reports, the draft report and recommendations will be sent to the relevant manager, and the Council's statutory officers for their comments prior to finalising the recommendations (a copy will also be sent to Cabinet members for information). Once the report/recommendations have been finalised it will be sent to a meeting of Cabinet for a formal response. The final report with the Portfolio Holder/Cabinet response will go to the next O&S Committee. Cabinet's response will be required within 2 months in line with the requirements Local Government and Public Involvement in Health Act 2007.

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How do I submit my Call for Action?

Please complete a 'Councillor Call for Action Form' which is available on the Council's internet or by contacting Committee and Member Services on 01706 2524246.

The form should outline what the issue is and what steps have been taken towards resolving the issue. It should then be submitted to Committee and Member Services and it will be acknowledged within five working days.

If it is agreed that it is a valid local government matter, you will then be informed of the date and time of the scrutiny committee which will consider your Call for Action, and whether the Committee wishes to hear any further representation.

What will happen to my Councillor Call for Action?

The Overview and Scrutiny Committee will consider your Call for Action as it does any new item suggested for its work plan. In deciding whether to review or scrutinise decisions or actions, it will consider whether the issue affects a large number of people or a significant number of people within a smaller specialist interest group. It will consider what you have already done to resolve the matter and what representations you make as to why the Committee should take the matter up.

If the Committee decides to not to take the ‘matter’ further, it must explain the reasons.

If the committee decides to accept the referral it must decide how it intends to take the matter further. This could include:

- Asking the service/partner to respond to the Call for Action
- Asking for further evidence and/or witnesses to be brought to a future meeting then making recommendations to the Cabinet/partner agency
- Setting up a task and finish group to undertake an in-depth review

If it does take the matter up, it must make sure that the Member receives a copy of any reports or recommendations that it makes.

COUNCILLOR CALL FOR ACTION (CCfA) Request

Please note that this form must be:

- Signed personally by an Elected Member who wishes to make the Call for Action
- Posted or handed in to Committee and Member Services room 213 at Futures Park, Bacup, OL13 0BB

What is the subject of your CCfA?
(please give a brief outline of the issue)

What do you want to be the outcome of your CCfA?

Some areas are statutorily excluded from the CCfA process. Please answer the following questions to help ascertain whether or not your request falls within the excluded area.

Does the issue relate to a problem in your electoral ward or any person who lives or works in it?	Yes/No
Does it relate to a local authority function/local Government matter?	Yes/No

Does it relate to a planning/licensing appeal process?	Yes/No
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Guidance suggests that a CCfA should be made only when all other avenues have been exhausted. Please answer the following questions to show the action previously take to resolve the issue:

1. Has the issue been discussed with/through any of the following?

Overview and Scrutiny	Yes/No	Date:
Neighbourhood Forum <u>Community Partnership</u>	Yes/No	Date:
Member Enquiry Service	Yes/No	Date:
Other (please comment)		

2. Have you discussed the issue with any of the following:-

	Yes/No	Date	Contact Name/Tel No
Cabinet Member	Yes/No		
Head of Service	Yes/No		
Council Officer	Yes/No		
Lancashire Local <u>County Council</u>	Yes/No		
Local County Councillor	Yes/No		
Other Person	Yes/No		
Partner Organisations Please give details of Partner organisations (NHS, Police, Fire and Rescue) with whom you have discussed the matter			
Other (please comment)			

3. Please give brief details of the outcome of the discussions you have had?

Details

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Name:	Signature:
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Date:

For Office Use Only

Date and time of receipt of form

Receiving Officer.....

12. Crime & Disorder

The Overview and Scrutiny Committee will ~~scrutinise the Crime and Disorder Partnership~~ receive an update from Lancashire Police at least once per annum.

Scrutiny Review Reporting Process

This process starts once the scrutiny review has been carried out.

1. The report and recommendations are completed by the task and finish group (T&F). The Senior Management Team lead (SMT) to be present at the final meeting.
 - The SMT lead will consult with the Portfolio Holder
2. Draft report is sent to Management Team – feedback to be given to the Committee and Member Services Officer (C&MS) ASAP.
 - If any major issues are identified with the recommendations then the T&F group will be reconvened with the SMT lead present.
3. The report to be sent to all Cabinet members for them to provide their comments to the Portfolio Holder.
4. The report is sent to a meeting of the Cabinet. Chair of the T&F Group requires a response in writing from the Portfolio Holder within 1 month of the meeting of the Cabinet.

Note: Any response will be in writing and copied to the C&MS Officer. It should be noted that the response will be quoted verbatim in the final report.
5. Response is incorporated into the T&F report and also into the covering report. A new heading to be added to the T&F report and the O&S covering report entitled 'Cabinet response'.
6. The final report will go to the next available O&S Committee.

GENERAL DELEGATIONS TO OFFICERS

1.0 General Delegation

- 1.1 The Chief Executive and Directors, Heads of Service and Service Managers have delegated powers to make decisions on behalf of the Council on those matters contained within this Scheme and delegated for decision by them.
- 1.2 An Officer referred to in 1.1 above shall be empowered to authorise Officers in their Services to exercise on their behalf powers delegated under this Scheme and to authorise Officers to carry out specific statutory functions under the provisions of relevant legislation.
- 1.3 Where an Officer referred to in 1.1 above is to be absent for any period, that Officer may nominate to the Chief Executive, in writing, another Officer to act in that capacity during the period of absence.
- 1.4 In the Chief Executive's absence ~~the a relevant~~ Director ~~of Business~~, Head of Service or Corporate Management Team will act ~~on behalf of the~~ Chief Executive. In the Monitoring Officer's absence the Deputy Monitoring Officer will act as Monitoring Officer. In the Head of Finance/S151 Officer's absence the Finance Manager will act as Deputy S151 Officer. In the absence of a Director or Head of Service another Director or Head of Service may act on their behalf.
- 1.5 In cases of emergency, when the Chief Executive, Directors and Heads of Service do not have delegated powers they shall be empowered to make decisions relevant to their service area after consultation with the appropriate Chair and/or Vice Chair or Leader or Deputy Leader. Emergency action taken under this power must be reported to the next meeting of the appropriate Cabinet or Committee or Sub-Committee.

2.0 Financial Matters

2.1 Revenue Expenditure

- a) To incur expenditure in respect of items included in approved revenue budgets in accordance with the Council's policies, procedures and Financial Regulations and Rules of Procedures. Items outside this framework must be referred to the appropriate body or Committee;
- b) In an emergency, to incur immediately necessary lawful expenditure that shall be reported to the Head of Finance and subsequently to the Cabinet or appropriate Committee or Sub-Committee.

2.2 Capital Expenditure

To incur expenditure on capital schemes in accordance with the arrangements set out in the Rules of Procedure of the Council and subject to 3.0 below.

3.0 Contract Issues

Officers will deal with contracts in accordance with the Contract Procedure Rules in Part 3 of the Constitution.

4.0 Human Resources Issues

4.1 Appointments and Dismissals

- a) In consultation with the Head of Paid Service, the appointment of all staff other than the Head of Paid Service, Chief Officers (and other Officers paid in accordance with the Joint Negotiating Committee for Chief Officers of Local Authorities) within the approved budgets of the Council;
- b) In consultation with the Head of Paid Service, to exercise control and discipline in accordance with the Council's agreed human resources policies and procedures;
- c) In consultation with the Head of Paid Service, to consider appeals made within the disciplinary procedure on disciplinary sanctions up to and including final written warning;
- d) In consultation with the Head of Paid Service, to consider appeals made under the Council's grievance procedure.

4.2 Establishment

- a) In consultation with the Head of Paid Service, to approve changes to the number, distribution and terms of conditions of posts below Chief Officer level for which they are responsible subject to sufficient resources being available in the current and future years and the maximum of new posts or changes to the establishment being limited to ten and full consultation must take place with the Chief Executive, Head of Finance and the appropriate Portfolio Holder and Committee Chair, Vice Chair, Officers and relevant trade unions;
- b) In consultation with the Head of Paid Service, to approve planned overtime payments to Officers, subject to there being budgetary provision;
- c) In consultation with the Head of Paid Service, to approve or otherwise requests for variations of periods of notice to terminate employment;
- d) In consultation with the Head of Paid Service, to consider applications for re-grading subject to the Council's agreed human resources policies and procedures
- e) In consultation with the Head of Paid Service, to determine applications for early retirement on medical grounds in respect of all posts for which he or she is responsible for the purposes of the Superannuation regulations in cases where the Community Physician recommends early retirement on the grounds that an Officer is incapable of performing their duties (or the duties of his or her former employment in the case of a former Officer) and the Officer concerned agrees in writing with that recommendation

4.3 Leave

In accordance with the Council's human resources policies and procedures:

- a) To authorise leave of absence with or without pay;
- b) To authorise the carry over of leave from one year to the following year;
- c) To authorise additional leave for personal and domestic reasons in circumstances set out in the Local Conditions of Service

4.4 Training

In accordance with the Council's human resources policies and procedures:

- a) To approve training for the posts for which he or she is responsible, subject to sufficient resources being available within his or her training budget;
- b) To authorise the attendance of staff at courses, seminars and conferences

(Note: When determining human resources matters or other issues within their service, the Head of Finance, the HR Manager and the Monitoring Officer must consider the significance of the decision and whether or not to consult with the Chief Executive).

5.0 General Day to Day Management of Services

- a) Subject to any Statutory requirements or provisions contained in the Council Constitution including Rules of Procedure and Financial Regulations, the Chief Executive and Directors, Heads of Service and Service Managers are authorised to carry out any function or task to ensure the effective and efficient day to day management of Council Services;
- b) To approve the level of any fees and charges for Council Services provided by his or her Service, subject to the approval of the Head of Finance, the Leader and the Leader of the Opposition;
- c) To take any action delegated to him or her under any Council policies, plans or procedures;
- d) Subject to Contract Procedure Rule 31, to appoint consultants and to obtain outside professional and technical advice and assistance subject to there being sufficient resources in the Service revenue budget.
- e) Unless otherwise referred to in Part 3 of this Scheme authority to exercise all powers conferred to the Council by Legislation, including the legislation set out in Appendix 1 or any other statute or regulations through the:
 - serving of notices
 - granting or refusal of permissions
 - determination of applications
 - exercising of powers
 - issuing of certificates
 - servicing of warrants
 - making of orders
 - authorisation of officers
 - taking of enforcement action
 - institution of legal proceedings
 - issuing of licences
 - determination of grants
 - determination of plans
 - taking of samples
 - entering of premises
 - undertaking of data matching exercises
 - obtaining of information
 - obtaining of particulars of persons interested in land
 - undertaking any other necessary powers or duties of the Council

6.0 Use of Fixed Penalty Receipts

To use fixed penalty receipts for the purpose of “qualifying functions” under the following legislation:

The Environmental Protection Act 1990;

The Anti-Social Behaviour Act 2003;
The Clean Neighbourhoods and Environmental Protection Act 2005.

DELEGATIONS TO SPECIFIC OFFICERS

1.0 General Exceptions

- 1.1 The following delegations to specific Officers provide for the discharge of any functions of the Council with the exception of:
- i) those functions reserved to the Full Council;
 - ii) those functions reserved to Officers by legislation;
 - iii) those matters which the Chief Executive, Directors or Heads of Service consider that the delegated authority should not be exercised and that he or she should be referred to the Cabinet or an appropriate Committee or Sub-Committee for consideration.

2.0 Chief Executive

- 2.1 The Chief Executive shall be authorised to discharge any function not otherwise delegated to Directors and Heads of Service or which cannot be undertaken by the Cabinet.
- 2.2 The Chief Executive shall be authorised to act as the Council's proper officer for the purpose of any function not otherwise delegated under these arrangements.
- 2.3 The Chief Executive is also authorised to act in place of the Directors or Heads of Service in cases of absence or unavailability unless statutory provisions prevent this.
- 2.4 The Chief Executive is also authorised to discharge the functions of Head of Paid Service.
- 2.5 The Chief Executive shall be authorised to prepare the Emergency Plan.
- 2.6 The Chief Executive in consultation with the Leader and Deputy Leader of the Council and the Leader of all Political Groups shall be authorised to agree any in year amendments or changes to the appointment of Members to Cabinet, Committees, Sub Committees, Outside Bodies or Working Groups and that these changes be reported to the next Full Council meeting for information.
- 2.7 To agree action which due to an emergency must be taken to safeguard the interest of the Council or the Borough of Rossendale.
- 2.8 The Chief Executive shall be authorised to delegate the areas of responsibility of any Head of Service to any other Head of Service.
- 2.9 To make any amendments to the Committee meetings schedule approved at the Annual meeting of the Council.
- 3.0 The Chief Executive be authorised to exercise strategic control of Human Resources.
- 3.1 The Chief Executive is responsible for the day to day management of the Council's functions in relation to:
- a) industrial relations
 - b) employment
 - c) health and safety matters
 - d) administration of payroll function

e) organisational development

3.2 In consultation with the Portfolio Holder for Resources and Performance - to develop and implement all appropriate policies in relation to Equalities and Employment.

4.0 Director of ~~Business Communities~~

4.1 The Director of ~~Business Communities~~ shall be authorised to exercise strategic control of: ~~Culture, Community Planning, Urban Renewal, ICT, Operations and Neighbourhoods, Economic Strategy, Customer Services and E. Government (including the Service Assurance Team), Community and Partnership; and shall be responsible for the day to day management of the Council's functions in relation to:~~

- a) the local strategic partnership
- ~~b) cultural services through partnership, including:~~
 - ~~i) arts~~
 - ~~ii) art galleries and museums~~
 - ~~iii) recreation, sports facilities and sports development~~
 - ~~iv) tourism~~
- ~~be)~~ developing partnership arrangements
- ~~ce)~~ developing community involvement
- ~~de)~~ the Strategic Governance Board for Capita

The Director of ~~Business Communities~~ is responsible for the day to day control and management of ~~Regeneration, Refuse and Recycling, Management of Parks and Open Spaces (including cemeteries), Neighbourhood Management, Community Safety, including the following powers under the Clean Neighbourhoods and Environmental Protection Act 2005:~~

1. Vehicles

Power to authorise Officers and other suitably qualified support staff to:

- a) Under Section 6 issue fixed penalty notices for the offences of exposing vehicles for sale or repairing a vehicle on the road.
- b) Sub-Section 8 fix the amount of the penalty at £100 which can be amended under Sub-Section 9.
- c) Under Section 2A issue a fixed penalty notice set at £200 in respect of an offence of abandoning a vehicle.
- d) Under Section 11 issue notice of removal of vehicles immediately.
- e) Under Section 12 dispose of abandoned vehicles immediately where neither a registration mark or current licence is displayed.
- f) Under Section 15 issue notices of removal.

2. Litter and Refuse

Power to authorise Officers and other suitably qualified support staff to:

- a) Under Section 19 issue fixed penalty notices for the offence of dropping litter; where the authority sets no amount the fixed penalty shall be £75.
- b) Under Section 20 issue and serve litter clearing notices.

- c) Under Section 92c enter land to remove litter and refuse where an offence has been committed and the litter clearing notice has not been complied with.
- d) Under Section 21 issue street litter control notices requiring occupier of premises to deal with litter and refuse.
- e) Under Section 22 issue fixed penalty notices for failing to comply with street litter control notices.
- f) Under Section 23 make orders to designate areas to control the distribution of printed matter.
- g) Under Section 23 issue consents for the distribution of free literature in a designated area.
- h) Seize the material when an offence is committed.
- i) Issue a fixed penalty notice for these offences; where the Authority sets no amount, the fixed penalty shall be £75.
- j) Issue fixed penalty notices associated with the offence of dropping litter, litter clearing notices, street litter control notices and the distribution of printed matter.

3. Graffiti and Other Defacement

Power to authorise Officers and other suitably qualified support staff to:

- a) Issue fixed penalty notices for the offences of graffiti and fly posting; where the Authority sets no amount, the base amount is £75.
- b) Issue removal notices requiring the removal of graffiti and fly posters under Section 31.
- c) Under Section 32 authorise appropriate officers to have a programme of enforcement action under its local weights and measures powers to deal with the offence of selling aerosol paints to persons aged under 16 under Section 54 of the Anti-Social Behaviour Act 2003.
- d) Under Section 34 serve notices for removal of illegally displayed placards and posters and to recover the costs of removal.
- e) Enter premises for removal purposes.

4. Waste

Power to authorise Officers and other suitably qualified support staff to:

- a) Under Section 42 incur investigation and enforcement costs associated with the seizure of vehicles involved in the offence under Section 33 of the Environmental Protection Act 1990 relating to the unauthorised or harmful deposit of waste and to claim those costs in Court proceedings.
- b) Incur costs in dealing with the removing of waste that has been illegally deposited and to claim those costs in any Court proceedings under the Environmental Protection Act 1990.
- c) Under Section 44 accept by order of a Court exercising its powers within the Environmental Protection Act 1990 possession of forfeited vehicles and their contents.
- d) Under Section 45 issue fixed penalty notices set at £300 for the failure to comply with a requirement to furnish documents under regulations made under Section 34 of the Environmental Protection Act 1990.
- e) Under Section 46 seize a vehicle and its contents where it is reasonably believed that the vehicle has been, is being or is about to be used in the commission of an offence under Sections 33 or 34 of the Environmental Protection Act 1990.
- f) Under Section 46 issue notices under Section 71(2) of the Environmental Protection Act 1990 to include functions conferred by new Sections 34C and 34D of the 1990 Act.

- g) Under Section 48 issue a fixed penalty notice where the authority has reason to believe that a person has committed an offence under Sections 46 or 47 of the 2005 Act; where the Authority sets no amount, the fixed penalty shall be £100.
- h) Under Section 50 issue notices to require the owner of land to remove waste and where an owner fails to comply with requirements of the notice the authority to enter the land, remove the waste or take such specified steps and recover the costs of doing so from the owner or occupier of land.

5. Dogs

Power to authorise Officers and other suitably qualified support staff to:

- a) Under Section 55 make dog control orders.
- b) Issue fixed penalty notices in respect of offences provided for; where the Local Authority sets no amount, the fixed penalty shall be £75.

6. Noise

Power to authorise officers and other suitably qualified support staff to:

- a) Under Section 69 designate alarm notification areas requiring the occupier/owner of any premises to notify the local authority of the details of the keyholder for the premises.
- b) Under Section 70 withdraw a designation made under Section 69.
- c) Under Section 73 issue a fixed penalty notice for the offence of failing to nominate or to notify a keyholder to the local authority with the specified time period.
- d) Under Section 74 adopt regulations governing the power of the local authority to set local fixed penalty rates and circumstances in respect of which a local authority may provide reduced early payments.
- e) Under Section 75 adopt regulations allowing the local authority to retain the receipts arising from fixed penalty notices under regulations about how local authorities can use their penalty receipts.
- f) Under Section 77 enter a property in order to silence an intruder alarm.
- g) Under Section 78 enter premises using reasonable force following the issue of a warrant by a Justice of the Peace.
- h) Under Section 79 recover expenses reasonably incurred by it in connection with entering the premises and silencing the alarm.
- i) Under Section 82 issue fixed penalty notices for an offence committed under the Noise Act 1996 which permitted a local authority to deal with noise exceeding permitted levels from dwellings at night time.

Section 82 enables the local authority to set the level of fixed penalty in its area; where the Authority sets no amount the fixed penalty is £100.

- j) Section 84 amends the Noise Act 1996 extending its effect to certain licensed premises as well as dwellings. Under Section 84 the power to issue fixed penalty notice where the alleged offence relates to licensed premises, the amount of the fixed penalty will be fixed at £500 and no power for a local authority to set an alternative.
- k) Section 83, adopt the provisions dealing with the use by local authorities of receipts from fixed penalty notices given under Section 8 of the Noise Act 1996 above.
- l) Under Section 84 take action to deal with noise at night in respect of licensed premises to issue a fixed penalty notice in respect of licensed premises set at £500 with no power for a local authority to set an alternative rate in its area for an offence committed under the Noise Act 1996 Section 4a.

m) Under Section 86 amending Section 80 of the Environmental Protection Act 1990, defer the issuing of an abatement notice in respect of noise.

7. Shopping and Luggage Trolleys

Under Section 99 which amends Schedule 4 to the Environmental Protection Act 1990, power to enable a local authority to charge the person believed to be the owner of an abandoned shopping or luggage trolley for its removal, storage and disposal.

8. The Director of Business-Communities has powers to deal with Statutory Nuisances, including:

1) the power to deal with the following nuisances:

- a) Under Section 101 amending Section 79 of the Environmental Protection Act 1990 so as to include in the statutory nuisances listed in that section “insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance.
- b) Under Section 102 amending Section 79 of the Environmental Protection Act 1990 so as to provide that the statutory nuisances listed in that section including “artificial light emitted from premises so as to be prejudicial to health or a nuisance”.

2) Emergency Planning

The power to deal with emergency planning issues.

3) The power to deal with:

- a) parks and open spaces
- b) allotments
- c) grounds maintenance (including the provision and maintenance of landscaping schemes and burials and cemeteries)
- d) refuse collection, street cleansing and waste management
- e) transport, including fleet management and maintenance
- f) public conveniences
- g) markets
- h) statutory duties under the Environmental Protection Act 1990
- i) all environmental health issues.

4.2 The Director of Business-Communities is responsible for the control of Planning, Building Control, Environmental Health and Licensing, Economic Regeneration & Strategic Housing.

4.3 The Director of Business-Communities is responsible for the day to day management of the Council’s functions in relation to:

a) environmental health, environmental protection, public health and land drainage.

~~b) Building Control~~

~~c) Development Control~~

~~d) Conservation~~

e)b) Environmental Health

~~f) Regeneration & Strategic Housing~~

c) Regulatory licensing matters.

- House to House and Street Collections
- Licensing of Hackney Carriage Vehicles and Drivers
- Licensing of Private Hire Operators, Vehicles and Drivers
- Second Hand Goods Dealers
- Hypnotism
- Sex Establishments
- Street Trading
- Licensing Matters (Licensing Act 2003)
- Licensing Matters (Gambling Act 2005)

~~4.4 The Director of Business has power to determine planning applications.~~

~~4.45 The Director of Business—Communities is responsible for the control of Economic Development, Regeneration, Housing Strategy, Economic Strategy, Single Regeneration Budget, Housing Market Renewal, Promotion of Rossendale, Public Car Parks, Engineering Services, On-Street Car Parking, Off Street Car Parking, and Private Sector Housing, including:~~

- i) the administration of the housing grants regime
- ii) other private sector renewal activities, for example, clearance, area renewal, etc.
- iii) disabled adaptations service
- iv) policies and procedures relating to the condition and occupation of the stock, for example, Empty Properties Policy
- v) liaison with and accreditation of private landlords
- vi) the Private Sector Housing Strategy.

~~4.5 The Director of Communities shall be identified as the “Appropriate Officer” under Section 243 of the Housing Act 2004.~~

5.0 Director of Economic Development

~~5.1 The Director of Economic Development shall be authorised to exercise strategic control of: Culture, Economic Strategy and Urban Renewal; and shall be responsible for the day to day management of the Council’s functions in relation to:~~

- a) cultural services through partnership, including:
 - i) arts
 - ii) art galleries and museums
 - iii) recreation, sports facilities and sports development
 - iv) tourism

~~The Director of Economic Development is responsible for the day to day control and management of Regeneration.~~

~~5.2 The Director of Economic Development is responsible for the control of Economic Development, Planning, Building Control, Property Services, Tourism and Business Development.~~

~~5.3 The Director of Economic Development is responsible for the day to day management of the Council’s functions in relation to:~~

- a) Building Control
- b) Development Control

c) Conservation

d) Regeneration & Strategic Housing

5.4 The Director of Economic Development has power to determine planning applications.

5.5 The Director of Economic Development is responsible for the control of Regeneration, Economic Strategy, Single Regeneration Budget, Promotion of Rossendale, Public Car Parks, Engineering Services, On-Street Car Parking and Off Street Car Parking.

MATTERS DELEGATED TO THE DIRECTOR OF BUSINESS~~ECONOMIC DEVELOPMENT~~

The Director of ~~Business~~Economic Development shall be responsible for the day to day management of the Council's functions in relation to

- 1) Development Control
- 2) Conservation
- 3) Forward Planning
- 4) Building Control

To act on behalf of the Council and in accordance with the legislation, in relation to all Town and Country Planning and Development Control matters as set out in Regulation 2 and Schedule 1 to the Local Government (Functions and Responsibilities) (England) Regulations 2000, including determining applications for planning permission or advertisement control applications for listed building, tree works consent and Conservation Area Consent, lawful development certificates and under the Building Regulations, responding to consultations and all other matters submitted for the determination formal approval or comments of the Council as Local Planning Authority under the relevant Town and Country Planning Act and associated legislation.

the determination of the validity of applications;

the refusal of any planning application for insufficient information (all applications);

declining to accept repeat applications which have previously been refused where there has been no material change in circumstances and raise no significant new issues.

determination of whether variations and amendments to existing permissions may be treated as working amendments and the determination of these amendments and variations. Where a planning application is not required.

matters submitted for approval in accordance with a condition of a planning permission.

prior notifications and determinations of details (including those where prior approval is not required) where the period of response is less than 42 days;

certificates of lawfulness of existing or proposed uses or development.

determination of whether an environmental statement is required, the adoption of screening opinions and scoping opinions under the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999;

enforcement action, service of enforcement notices, breach of condition notices, stop notices, temporary stop notices, tree replacement notices and untidy land notices under the Town and Country Planning Act 1990;

enforcement action, service of repair, urgent works, and building preservation notices under the Planning (Listed Buildings and Conservation Areas) Act 1990;

the carrying out of work where notices have not complied and the recovery of costs incurred;

service of planning contravention notices and consideration of any offers and representations pursuant to such notices;

service of discontinuance notices under the Town and Country Planning (Control of Advertisements) Regulations;

notices and action under the Building Act 1984;

powers to deal with dangerous and dilapidated buildings, dangerous trees and dangerous excavations on land accessible to the public;

the authorisation of the completion, variation or discharge of Section 106 Agreements;

the making of Article 4 Directions withdrawing permitted development rights conferred by a development order, subject to consultation with the relevant Portfolio Holder.

to exercise the powers of the Council relating to the protection of important hedgerows under the Hedgerow Regulations 1997;

all powers to serve notices shall include power to withdraw such notices.

to determine all complaints made under Part 8 of the Anti Social Behaviour Act 2003 for high hedges.

injunction proceedings;

to exercise powers of entry under the Anti Social Behaviour legislation and deal with;

determination of whether claims for deemed hazardous substances consent are invalid;

authorising the prosecution of offenders for offences under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Building Act 1984, and Regulations made under those Acts;

substitution of house types up to 15 in number;

the settlement of the amount of costs awarded to or against the Council on appeal;

the imposition of conditions on planning permissions and consents and the determination of reasons for imposing conditions;

the determination of reasons for refusal;

responses to consultations from other local planning authorities on applications other than relating to strategic applications/ consultations on LDF documents.

the making/ modification and amendment of tree preservation orders and the confirmation of tree preservation orders where no objections have been received;

consent to fell, lop or top protected trees;

appointment of consultants in connection with any planning applications or any appeal;

to authorise the use of powers of entry under Local Government Legislation;

applications for approval of reserved matters which do not fall within the following:-

- a) the provision of dwelling houses where:-
 - i) 15 or more dwellings are to be provided; or
 - ii) the site area is 0.5 hectare or more; or
- b) buildings are to be provided with a floor space of 1000 square metres or more; or
- c) the site to be developed is 1 hectare or more; or
- d) developments which require an environmental statement.

this delegation to be read in addition to the current scheme of delegation and all powers conferred by paragraph 5(e) above of the Council's Constitution.

applications or notifications which receive objections and which are recommended by Officers for refusal.

those matters not listed for decision by the Development Control Committee.

MATTERS TO BE SUBJECT TO CONSULTATION WITH THE PORTFOLIO HOLDER

Consultations on Strategic planning applications in cases in which the time limit for response expires before the next Committee.

Consultation responses to Government papers.

EXERCISE OF DELEGATED POWERS

The Director of ~~Business~~ Economic Development may authorise the Planning Manager/Building Control Manager and other officers to determine these matters on their behalf.

(The Head of Finance is responsible for submitting all planning applications on behalf of the Council (See Terms of Reference of the Development Control Committee)).

~~4.6~~ All functions/consultations relating to footpaths/bridleways, byways and rights of way.

~~4.7 The Director of Business shall be identified as the "Appropriate Officer" under Section 243 of the Housing Act 2004.~~

65. The Monitoring Officer

65.1 The Monitoring Officer is responsible for the control of Legal, ~~Licensing~~, Land Charges and Committee and Member Services.

65.2 The Monitoring Officer shall be authorised to act as Solicitor to the Council and to take any action intended to give effect to a decision of the Full Council, Committees, Sub-Committees or an Officer.

65.3 The Monitoring Officer is also authorised to discharge the functions of the Monitoring Officer; (the Legal Officer shall act as Deputy Monitoring Officer in the absence of the Monitoring Officer) and authority is given by Full Council on 24th September 2008 to provide that the Monitoring Officer may update the list of Legislation at Appendix 1 as required.

65.4 The Monitoring Officer is responsible for the day to day management of the Council's functions in relation to:

- a) the commencement, defence, withdrawal or settlement of legal or other proceedings
- b) the authorisation of Council employees to conduct legal matters in court
- c) contracts
- d) the requirements of the Data Protection Act 1998, Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000 and the Environmental Information Regulations 2004. The Monitoring Officer is the Senior Responsible Officer for the purposes of the Regulation of Investigatory Powers Act 2000.

~~e) Regulatory licensing matters:~~

- ~~• House to House and Street Collections~~
- ~~• Licensing of Hackney Carriage Vehicles and Drivers~~
- ~~• Licensing of Private Hire Operators, Vehicles and Drivers~~
- ~~• Second Hand Goods Dealers~~
- ~~• Hypnotism~~
- ~~• Sex Establishments~~
- ~~• Street Trading~~
- ~~• Licensing Matters (Licensing Act 2003)~~
- ~~• Licensing Matters (Gambling Act 2005)~~

~~f)e) Land Charges~~

65.5 The Monitoring Officer has the power to determine whether a standards complaint proceeds to a Standards Hearing Panel (in consultation with the Independent Person), and there is no right of appeal on this decision.

65.6 The Monitoring Officer is able to grant dispensations:

This includes general dispensations relating to:

- a) any allowance payment or indemnity granted to a member.
- b) setting the Council Tax or a precept under the Local Government Finance Act 1992.

(A general dispensation has been granted to all members of the Council for the period of four years from 14th December 2016).

MATTERS DELEGATED TO THE MONITORING OFFICER

To make applications to the Home Secretary for consent to make Orders under the Public Order Act 1986 upon such terms as the ~~Director of Business~~Monitoring Officer considers appropriate having regard to any application of the Chief Constable and in consultation with the Leader or his Deputy if unavailable and consideration of any provision of the Human Rights Act 1998 and any other legislative or legal provision the ~~Director of Business~~Monitoring Officer deems appropriate. The authorisation includes the making of any appropriate Orders following the receipt of any consent of the Home Secretary.

MATTERS TO BE SUBJECT TO CONSULTATION WITH THE PORTFOLIO HOLDER

Amendments to minutes in cases of error.

Consultation responses to Government papers.

76. The Monitoring Officer

76.1 The Monitoring Officer shall be authorised to exercise strategic control of Elections, Civic and Ceremonial, Committee Management, Committee and Member Services, and Town Twinning.

87. Head of Finance

87.1 The Head of Finance is authorised to discharge all the functions of the Chief Financial Officer (including Sections 114, 115 and 151 of the Local Government Act 1972).

87.2 The Head of Finance is responsible for the control of the Council's functions in relation to:

- a) financial services
- b) in consultation with the appropriate Director and Head of Service, authority to determine requests for grants, financial assistance including hardship and discretionary charitable relief, discretionary rate relief and support up to £5000
- c) the treasury management function (borrowing and investments)
- d) the client officer for computer contracts
- e) accountancy
- f) the Council's insurance arrangements and risk management
- g) the writing off of debts up to £5000
- h) pensions
- i) creditor payments
- j) collection of sundry debtors
- k) banking arrangements
- l) setting the Council tax base
- m) contract management of the audit function
- n) procurement
- o) management, maintenance and exploitation of the Council's property portfolio.

- 7.3 The Head of Finance acting as Corporate Property Officer is responsible for the day to day management control of ~~P~~property ~~Services~~, asset management and facilities management including:
- a) All Council Buildings
 - b) The Asset Management Plan
 - c) Signage

7.3.1 The Head of Finance, in consultation with the relevant Portfolio Holder, has authority to deal with all assets where the Council's Valuer values the asset at less than £100,000.

7.3.2 The Head of Finance, in consultation with the relevant Portfolio Holder, is responsible for the day to day management of the Council's functions in relation to:

- a) property valuation
- b) authority, in consultation with the relevant Portfolio Holder to deal with all land and property matters where the Council's Valuer values the land and property at less than £100,000 including:-
 - acquisition of land and property
 - appropriation of land
 - disposal of land and property – equal to or in excess of Valuer's valuation
 - other dealings with land or any interest in land
- c) authority to refuse requests for the purchase or lease of land or property vested in the Council or the grounds that disposal would not be in the interests of the Council.
- d) authority to approve all acquisitions and disposals of land, buildings or other property interests when the Council's Valuer values the land, buildings or other property interests at more than £100,000 but less than £250,000 and it is proposed to accept the highest bid and the highest bid matches or exceeds that of the Council's Valuer.

8. **The Head of Customer Services** is responsible for the contract management of the Council's functions in relation to:

- a) the administration of benefits
- b) the administration of Council Tax and national non-domestic rates
- c) benefit fraud
- d) Customer Services
- e) Contract management arrangements in relation to telephones and IT
- f) e-government and information services

9. **The Head of Paid Service** is responsible for the day to day management of the Council's functions in relation to:

- a) performance management
- b) preparation and monitoring of the Corporate Plan

10. **The Elections Manager** is responsible for the day to day management of electoral matters.

11. **Licensing and Enforcement Manager**

The Licensing and Enforcement Manager has delegated authority in relation to:

Street Trading

- a) Refuse the application when a valid objection is deemed to have been received, in consultation with the Chair of the Licensing Committee.

- b) Grant an application where no objections are received.
- c) Decide the extent of consultation for each application.
- d) Issue Consent to the Organiser of an event which is run on a non-profit making basis to enable the Organiser in turn to allow trading on a specific site.
- e) Consult with Ward Councillors on static consent's, and they will be given 3 working days to respond.

Licensing Act 2003

The licensing authority will exercise and delegate functions in accordance with Appendix 1 – Table of exercise and delegation of functions – as listed in the Statement of Licensing Policy.

Gambling Act 2005

The licensing authority will exercise and delegate functions in accordance with Appendix B – Summary of licensing authority delegations permitted – as listed in the Statement of Principles.

Policy for the Licensing of:

Hackney Carriage Drivers and Vehicles

Private Hire Operators Drivers and Vehicles

Hackney Carriage Intended 'Use' Policy

The licensing authority will exercise and delegate functions in accordance with the approved Officer Authorisation List.

PART 4

PROPER OFFICERS

1.0 LEGISLATION

1.1 Legislation requires the Council to appoint specific officers and to identify officers for particular responsibilities.

2.0 PRINCIPAL APPOINTMENTS

2.1 The principal appointments are set out below:

Statutory Requirements***Officer Appointed***

Section 151 Local Government Act 1972
Responsibility for financial administration

Head of Finance

Section 4 Local Government and Housing Act
1989
Head of Paid Service

Chief Executive

Section 5 Local Government and Housing Act
1989
Monitoring Officer

Monitoring Officer

Section 8 Representation of People Act 1983
Registration Officer

Chief Executive

Section 35 Representation of People Act 1983
Returning Officer

Chief Executive

Part III of the Public Health (Control of Disease)
Act 1984

Director of
Business Communities

Appendix 1

| See paragraph 65.3 above

LEGISLATION

Accounts and Audit Regulations 2015
 Animal Boarding Establishments Act 1963
 Anti Social Behaviour Act 2003
 Anti-social Behaviour, Crime and Policing Act 2014
 Breeding of Dogs Act 1973 as amended
 Building Act 1984
 Building Regulations 2001 (as amended)
 Caravan Sites Act 1968
 Caravan Sites and Control of Development Act 1960
 Cinema Licence Act 1985
 Cinematograph Acts 1909 to 1982
 Civil Contingencies Act 2004
 Clean Air Act 1993
 Clean Neighbourhoods and Environmental Protection Act 2005
 Collection Fund (England) Regulations 1989
 Construction (Design and Management) Regulations 2015
 Controlled Waste Regulations 2012
 Control of Asbestos Regulations 2012
 Control of Pollution Act 1974
 Control of Pesticides Regulations Act 1986
 Consumer Safety (Amendment) Act 1986
 Council Tax (General) Regulations 1992
 County of Lancashire Act 1984
 Criminal Justice and Public Order Act 1994
 Criminal Justice and Public Order Act 1994, s167
 Criminal Procedures and Investigations Act 1996
 Dangerous Dogs Act 1991
 Dangerous Wild Animals Act 1976
 Data Protection Acts 1984 and 1998
 Defective Premises Act 1972
 Deregulation (Taxis and Private Hire Vehicles) Order 1998, SI 1998/1946
 Disability at Work Act 1994
 Disability Discrimination Act 1995 (Taxis) (Carrying of Guide Dogs etc) (England and Wales) Regulations 2000, SI 2000/2990
 Dogs Act 1906
 Electoral Administration Act 2006
 Electoral Registration and Administration Act 2013

Environment Act 1995
Environmental Protection Act 1990 (and all subsequent amendments)
Equality Act 2010
European Communities Act 1972
European Parliamentary Elections Act 2002
European Union Referendum Act 2015
Food and Drugs (Control of Food Premises) Act 1976
Food and Environment Protection Act 1985
Food Hygiene (England) Regulations 2013
Food Premises (Registration) Regulations 1991 (as amended)
Food Safety Act 1990
Food Safety (Fishery Products) Regulations 1992 (as amended)
Freedom of Information Act 2000
Gambling Act 2005
Gas Safety (Installation and Use) Regulations 1998
Guard Dogs Act 1975
Hazardous Waste Regulations 2005 (and all subsequent amendments)
Health Act 2006
Health and Safety at Work etc. Act 1974
Highways Act 1980 (as amended)
Home Energy Conservation Act 1995
Household Waste Recycling Act 2003
Household Waste (Fixed Penalty and Penalty Charge) Regulations 2015
House to House Collections Act 1939
House to House Collections regulations 1947
Housing Acts 1957, 1961, 1969, 1974, 1980, 1985, 1996 and 2004
Housing and Planning Act 2016
Housing Benefit (General) Regulations 1987
Housing (Financial Provisions) Act 1958
Housing Grants, Construction and Regeneration Act 1996
Human Rights Act 1998
Hypnotism Act 1952 (as amended)
Land Drainage Act 1991
Landlord and Tenants Acts 1985 and 1990
Leasehold Reform Act 1967
Legislative Reform (Local Authority Consent Requirements) (England and Wales) Order, SI 2008/2840
Licensed Taxis (Hiring at Separate Fares) Order 1986, SI 1986/1386
Licensing Act 2003
Litter Act 1983
[Littering from Vehicles outside London \(Keepers: Civil Penalties\) Regulations 2018](#)

Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

Local Authorities (Funds) (England) Regulations 1992

Local Democracy, Economic Development and Construction Act 2009

Local Government Act 1972 / 1974 / 1985 / 1999 / 2000 / 2003

Local Government Act 1972, Sch 14

Local Government Finance Acts 1988 and 1992

Local Government (Miscellaneous Provisions) Act 1976

Local Government (Miscellaneous Provisions) Act 1982, Sch 4

Local Government and Housing Act 1989

Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Local Government Public Involvement in Health Act 2007 and associated Regulations

Localism Act 2011

Local Services (Operation by Taxis) Regulations 1986, SI 1986/567

Management of Health and Safety at Work Regulations 1999

Microchipping of Dogs Regulations 2015

Mineral Workings Act 1985

Mobile homes Act 2013

National Parks and Access to the Countryside Act 1949

New Roads and Street Works Act 1991

Noise Act 1996

Noise and Statutory Nuisance Act 1993

Noise Insulation Regulations 1975

Offices, Shops and Railway Premises Act 1963

Party Wall Act 1996

Performing Animals (Regulation) Act 1925

Pet Animals Act 1951

Planning Act 2008

Planning and Compensation Act 1991

Planning and Compulsory Purchase Act 2004

Planning (Control of Major Accident Hazards) Regulations 1999

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning (Hazardous Substances) Act 1990

Planning (Hazardous Substances) Regulations 1992

Police Act 1997 and DBS Code of Practice

Police and Criminal Evidence Act 1984

Police and Justice Act 2006

Police, Factories, etc (Miscellaneous Provisions) Act 1916

Police Reform and Social Responsibility Act 2011

Political Parties, Elections and Referendums Act 2000

Pollution Prevention and Control Act 1999

Prevention of Damage by Pests Act 1949
Private Hire Vehicles (Carriage of Guide Dogs etc) Act 2002
Private Security Industry Act 2001 S 19 (2)
Products of Animal Origin (Third Country Imports)(England) Regulations 2006
The Products of Animal Origin (Third Country Imports)(England)(Amendment) Regulations 2007
Protection from Harassment Act 1997
Public Health Act 1936 and 1961
Public Health Act 1875, s 171
Public Health Act 1925 s 76
Public Health Act 1936, ss 300 - 302
Public Health (Control of Disease) Act 1984
Public Passenger Vehicle Act 1981, ss 1 and 2 and Sch 1
Public Utilities Street Works Act 1950
Referendum Act 1975
Refuse Disposal (Amenity Act) 1978
Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
Regulation of Investigatory Powers Act 2000
Regulatory Enforcement and Sanctions Act 2008
Rehabilitation of Offenders Act 1974
Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, SI 1975/1023
Rent (Agriculture) Act 1976
Representation of the People Act 1981 / 1983 / 1985 / 2000
Reservoirs Act 1975
RIDDOR 2013 (Reporting of Injuries, Diseases or Dangerous Occurrences Regs)
Riding Establishments Acts 1963 and 1964
Road Traffic Act 1972
Road Traffic Act 1988
Road Traffic Regulation Act 1984
Road Traffic Regulation (Special Events) Act 1994
Safety of Sports Grounds Act 1975
Scrap Metal Dealers Act 2013
Shops Act 1950
Smoke Control Areas (Exempted Fireplaces) Order 2015
Smoke-free (Exemptions and Vehicles) Regulations 2007
Smoke-free (Premises and Enforcement) Regulations 2006
Smoke-free (Signs) Regulations 2012
Social Security Administration Act 1992
Social Security Administration (Fraud) Act 1997
Social Security Fraud Act 2001
Sporting Events (Control of Alcohol etc.) Act 1985
Sunday Trading Act 1994

Sunbeds (Regulation) Act 2010 (c. 20)
Sustainable Communities Act 2007
Taximeters (EEC Requirements) Regulations 1979, SI 1979/1379
Theatres Act 1968
The Food Information Regulations 2014
Thefts Act 1968 and 1978
The Measuring Instruments (Taximeters) Regulations 2006, SI 2006/2304
The Openness of Local Government Bodies Regulations 2014
The Private Water Supply regulations 2009
The Protection From Eviction Act 1977 (As Amended)
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
The Smoke-free (Penalties and Discounted Amounts) Regulations 2007 as amended
The Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007
The Smoke-free (Private Vehicles) Regulations 2015
Town and Country Planning (Use Classes) Order 1987
Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2015 (and all subsequent amendments)
Town and Country Planning (General Permitted Development) Order 2015 (and all subsequent amendments)
Town and Country Planners (Environmental Impact Assessment) (England and Wales) Regulations 1999
Town Police Clauses Act 1847
Town Police Clauses Act 1847, ss 37 – 68
Town Police Clauses Act 1889, ss 3 - 6
Trade Descriptions Acts 1968-72
Transport Acts 1968 and 1985
Transport Act 1980 s 64
Transport Act 1981 s 35
Transport Act 1985 s 10 – 13 and Sch 7, para 1
Transport Act 1985, S 15 – 16 and Sch 7, para 3
Waste Regulations 2011 (and all subsequent amendments)
Water Industry Act 1991
Workplace (Health, Safety and Welfare) Regulations 1992
Zoo Licensing Act 1981
and such other regulations and legislation as amended from time to time.