

Cabinet

13 March 2013



Annual Review of the Constitution

Report of Corporate Management Team

Colette Longbottom, Head of Legal and Democratic Services

Councillor Simon Henig, Leader of the Council

Purpose of the Report

1. To present proposals for the revision of the Council's Constitution.

Background

2. In accordance with the Local Government Act 2000, the County Council adopted the new constitution for the Unitary Authority from 1 April 2009. Although legislation has been amended by the Localism Act 2011, a constitution is still required. An annual review of the constitution is carried out each year by the Monitoring Officer.
3. Amendments to the Constitution which have been approved by full Council since last year's annual review have been incorporated into the constitution which is kept updated and maintained on the Council's website and the intranet. Amendments made since the last annual review are shown below:-
 - i. Changes have been made to the constitution following the restructure of the Corporate Management Team and the merger of Children and Young Peoples Services and Adults Wellbeing and Health into one integrated service grouping of Children and Adults Services from 1 August 2012 (Part 2 – Article 11, Part 3C- all tables).
 - ii. There has been a revision to the terms of reference for the Standards Committee and Audit Committee, and changes throughout the constitution for Standards Committee following the changes introduced by the Localism Act 2011 (Part 2 – Article 9, and Part 3A).
 - iii. The new Code of Conduct for Councillors was adopted on 25 July 2012 and is incorporated in the constitution (Part 5).
 - iv. The joint committee of the Police and Crime Panel has been established following the new arrangements for policing and police accountability introduced by the Police Reform and Social Responsibility Act 2011 (Part 3D).
 - v. The Constitution has been amended to reflect the changes introduced by The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. This included

officer delegation scheme, Access to Information Procedure Rules, Executive Procedure Rules, and Overview and Scrutiny Procedure Rules (Part 2- Article 12, Part 3C, and Part 4).

- vi. Amendments have been made to the delegations to the Corporate Director, Resources in order to provide greater clarity over a number of issues relating to the Revenues and Benefits Service and to factor in changes under the Welfare Reform Act 2012 and Local Government Finance Act 2012, and under the responsibilities of the Head of Human Resources and Organisational Development to include a delegation to cover decisions made under the Local Government Pension Scheme in relation to ill health retirement. (Part 3C Table 6).
 - vii. A revised Local Code of Corporate Governance (Part 5).
 - viii. Rationalisation of committee functions in dealing with planning applications for wind turbines (Part 3A)
 - ix. A revised Code of Practice for Members and Officers dealing with Planning Matters (Part 5)
4. The Monitoring Officer has now carried out her annual review of the constitution which includes the review of the delegations to the Chief Officers who have been consulted and asked to submit any amendments. The proposed revisions are attached as schedules to Appendix 2.

Proposed Revisions

- i. Changes to the delegations of the Assistant Chief Executive which have been amended to reflect the changes in the Councils terminology (Part 3C, Table 2) (Schedule 1)
- ii. The inclusion of delegations for the Director of Public Health to reflect new legislation, and the addition of the designated statutory post to article 11 (Part 2- Article; 11, and Part 3C, Table 3) (Schedules 2 and 3)
- iii. An amendment to the officer employment procedure rules to reflect the post of Director of Public Health, which is subject to the responsibility of the Chief Officer Appointments Committee acting as Advisory Appointments Committee (subject to the approval of the appointment by the Secretary of State for Health) (Part 4) (Schedule 4)
- iv. Changes to the delegations of the Corporate Director, Resources to reflect the changes in the Council's terminology (Part 3C, Table 6) (Schedule 5)
- v. Changes to the delegations of the Corporate Director, Regeneration and Economic Development to incorporate further detail in relation to network management, to add legislation to allow the Council to carry out enforcement in relation to the abuse or misuse of blue badges, to

reflect the duties arising from the establishment of the Business Improvement Districts; to carry out character appraisals and amend conservation areas boundaries; to approve the principle of acquiring property at a price not exceeding £60k; and to amend the functions and areas of responsibility to accurately reflect those areas relating to car parking enforcement, and parking control (Part 3C, Table 4, and (Part 2- Article; 11) (Schedules 3 and 6)

- vi. Amendment to the delegations of the Corporate Director, Neighbourhood Services by the addition of a delegation to agree terms of conditions and licenses in accordance with published best practice and/ or guidance, and to amend the functions and areas of responsibility to accurately reflect those areas relating to car parking enforcement and parking control which are the responsibility of the Corporate Director, Regeneration and Economic Development, and by the deletion of scientific services which is no longer a function of the Authority (Part 3C, Table 5) and Part 2- Article; 11) (Schedules 3 and 7)

Other Amendments

5. There are other reports that will be presented to Council at the same time as the annual review report. These relate to Contract Procedure Rules; the establishment of Health and Wellbeing Board; and amendments to the terms of reference of the Adults, Wellbeing and Health Scrutiny Committee to reflect new legislation, and a revision to the Code of Conduct for members. Providing Council was minded to agree to the recommendations in the reports, the Council will be asked to amend the Constitution accordingly.

Recommendations

6. The Leader and Cabinet are asked to:
 - (i) Approve the delegating of executive powers as set out in the officer scheme of delegations.
 - (ii) Recommend that Council agree the proposed revisions to the Constitution including the delegations to Chief Officers contained at the meeting of the Council on 20 March 2013.
 - (iii) Recommend that Council authorise the Head of Legal and Democratic Services, following consultation with the Constitution Working Group, to make future changes to the Constitution to reflect decisions of the Council or a Council body or to comply with legal requirements.
 - (iv) As the delegations in relation to the Director of Public Health are still the subject of regulations, only some of which have been laid before Parliament, recommend that Council authorise the Head of Legal and Democratic Services, in consultation with the Leader of the Council, to amend the delegations as appropriate.

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Appendix 1: Implications

Finance: None specific within this report.

Staffing: None specific within this report.

Risk: None specific within this report.

Equality and Diversity/Public Sector Equality Duty: Provision will be made for the constitution to be made available on a variety of formats and languages.

Accommodation: None specific within this report.

Crime and Disorder: None specific within this report.

Human Rights: None specific within this report.

Consultation: Consultation with Chief Officers has taken place in relation to the proposed provisions.

Procurement: None specific within this report.

Disability Issues: None specific within this report.

Legal Implications: To comply with recent changes in legislation.

Table 2**Delegations to the Chief Executive**

1. To act as Head of the Paid Service under Section 4 of the Local Government and Housing Act 1989.
2. To guide and, where appropriate, direct chief officers in the exercise of their delegated functions in order to achieve the overall corporate aims and objectives of the Council.
3.
 - (a) To carry out any executive function which is delegated to a particular chief officer in consultation with the relevant Cabinet Portfolio Member
 - (b) To carry out any executive function of a corporate nature in consultation where appropriate with the Leader and Deputy Leader.
4. To grant exemptions on the political restriction of officer posts under the Localism Act 2011.

The following matters are, in addition, delegated to the Assistant Chief Executive:

5. In consultation where appropriate with the relevant Cabinet Portfolio Member, to discharge executive functions in relation to:
 - Communications
 - Corporate Policy, Planning and Improvement
 - Community Engagement/Area Action Partnerships
 - Community Development
 - Emergency Planning and Civil Contingencies
 - Equalities, Diversity and Cohesion
 - Performance Management and Research
 - Partnership Co-ordination and support for the County Durham Partnership
 - The county record office and the county archives
6. To oversee the management of the Council's Overview and Scrutiny functions.
7. To authorise the expenditure of Neighbourhood and Area budgets approved by the Council in consultation with the relevant Area Action Partnership Board and the appropriate local Member(s).
8. To designate suitably qualified officers as Authorising Officers for the purpose of granting authorisations to exercise the powers made available to the Council by the Regulation of Investigatory Powers Act, 2000.

Table 3

Delegations to the Corporate Director, Children and Adults Services**1. Executive Functions**

Subject to the requirement set out below and in compliance with the provisions of Table 1 above, the Corporate Director, Children and Adult's Services, is authorised to discharge any function of the Executive in relation to:

- 1.1 The Council's role as Children's Services Authority.
- 1.2 Social Services so far as those functions relate to:-
 - Children, or;
 - Children and young people leaving care.
 - Adults
- 1.3 Functions exercisable on behalf of a NHS body so far as it relates to adults, children and young people.
- 1.4 The Council's role as Local Education Authority and its role in commissioning 14-19 education as determined by the Education and Skills Act 2008 and any subsequent legislation relating to education and training for young people.
- 1.5 The effective and lawful operation of a secure unit in accordance with the licence requirements set by the Office for Standards in Education, Children's Services and Skills (Ofsted).
- 1.6 The provision of assessment and treatment services for children and young people in accordance with the Mental Health Act 2007.
- 1.7 To exercise the powers set out in Table 7 relating to the Building Schools for the Future programme.
- 1.8 Implementing or determining, subject to any right of review or appeal which may apply, all matters concerning the provision of mental health services including the acceptance and exercise of guardianships and receivership under the Mental Health Act 2007
- 1.9 Implementing or determining, subject to any right of review or appeal which may apply, all matters concerning the statutory complaints procedure.

- 1.10 Implementing or determining, subject to any right of review or appeal which may apply, all matters concerning the provision of services provided under the Mental Capacity Act 2005.
- 1.11 To formally approve and authorise Mental Health Professionals who are eligible and qualified to be considered as Approved Mental Health Practitioners.
- 1.12 Setting and varying rates for providers of all forms of social care and housing support in consultation with the Corporate Director, Resources.
- 1.13 Setting and varying fees and charges for delivery of services.
- 1.14 Undertaking joint collaborative action as appropriate with the National Health Service and other partner organisations for the planning and provision of jointly operated services within the County, including the development of Cooperation Agreements and Partnerships Agreements for joint working arrangements.
- 1.15 Protection and promotion of the welfare of vulnerable adults including vulnerable young people moving into adulthood.
- 1.16 To meet the requirements as set down by regulatory bodies in relation to the operation of services within Adult's Services and Children's Services.
- 1.17 Provision, operation and commissioning of a Welfare Rights Advisory Service.
- 1.18 Provision, operation, commissioning and variation of payments to external providers in respect of services arranged by the Corporate Director of Children and Adult's Services.
- 1.19 Provision, operation and commissioning of services in relation to Gypsies and travellers.
- 1.20 The provision, operation and commissioning of services in relation to Adult Learning.
- 1.21 The provision, operation and commissioning of vocational training and allied services for persons over compulsory school age and promotion of arrangements to assist persons to obtain employment and employers to obtain employees.
- 1.22 To coordinate the transition of service provision for children who will require services into adulthood.
- 1.23 Provision, operation and commissioning of a Community Safety service.

In carrying out these delegated functions, the Corporate Director will agree arrangements for consultation with the relevant Cabinet Portfolio Member(s) and will refer to the Executive for consideration and decision those matters directed by the said Member(s).

2. Specific Delegations

- 2.1 To coordinate the Council's response to Section 17 of the Crime and Disorder Act 1998 and ensure the crime and disorder implications of the Council's decisions are properly considered.
- 2.2 To provide advice on community safety issues to all council services and to provide support and advice to statutory partnerships in community safety/crime and disorder.
- 2.3 In consultation with the Head of Legal and Democratic Services and Corporate Director, Neighbourhood Services, take enforcement action under Sections 77, 78 and 79 of the Criminal Justice and Public Order Act 1994 in respect of the removal of unauthorised encampments and Section 1 of the Crime and Disorder Act 1998 and Section 85 of the Anti Social Behaviour Act 2003.
- 2.4 To meet the requirements as set down by regulatory bodies in relation to the employment, registration and training of all registerable staff.
- 2.5 To make applications procedures under the Forced Marriage (Civil Protection) Act 2007.
- 2.6 To advise and contribute to the preparation of the Joint Strategic Needs Assessment and Joint Health & Wellbeing Strategy in conjunction with the Director of Public Health.
- 2.7 In work with collaboration with partners in the development of the Safe Durham Partnership Strategic Assessment on behalf of the Safe Durham Partnership and to chair the Safe Durham Partnership.
- 2.8 To license the employment of children under Part II of the Children and Young Person Act 1933 Bylaws made under that part, and Part II of the Children and Young Person Act 1963.
- 2.9 To lead and coordinate the local Safeguarding Adults Board and the Local Safeguarding Children's Board in accordance with legislation and guidance.

3 The matters set out below are, in addition, delegated to the Director of Public Health;

- 3.1 To take responsibility for the management of the Council's Public Health Services, with professional responsibility and accountability for their effectiveness, availability and value for money.

- 3.2 To contribute to and influence the work of the NHS Commissioners, ensuring a whole system approach across the public sector and ensuring NHS commissioners receive the public health advice they need.
- 3.3 To provide leadership, expertise and advice to Senior Officers and Elected Members on a range of issues from outbreaks of disease and emergency preparedness through to improving local people's health concerns around access to health services.
- 3.4 To provide the public with expert, objective advice on health matters.
- 3.5 To promote action across the life course, working together with council colleagues such as the Director of Children and Adults Services and with NHS colleagues.
- 3.6 To work with local Criminal Justice Partners and Police and Crime Commissioners to promote safer communities, including cooperating with the police, the probation service and the prison service to assess the risk posed by violent or sexual offenders.
- 3.7 Under the NHS Act 2006 and the Health & Social Care Act 2012, to discharge any functions in relation to the corporate public health duties of the Council including responsibility for writing the annual report on the health of the local population. (The Council has a duty to Publish this report under section 73B (5) & (6) of the 2006 Act and Section 31 of the 2012 Act).
- 3.8 Under Section 73A(1) of the 2006 Act inserted by section 30 of the 2012 Act;
- To undertake duties to take steps to improve public health
 - To undertake such other public health protection or health improvement functions that the Secretary of State delegates to Local Authorities either by arrangement or under regulations- these include services mandated by regulations under Section 6C of the 2006 Act Inserted by section 18 of the 2012 Act
 - To respond as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications
 - To provide Healthy Start Vitamins (under the Healthy Start and Welfare Food Regulations 2005) for maternity or child health clinics
 - To consult and make decisions on Fluoridation Schemes
- 3.9 Under section 6C of the NHS Act 2006;
- To ensure appropriate access to sexual health services

- To take responsibility for the National Child Measurement Programme
- To take responsibility for the NHS Health Check Assessment

- 3.10 To act as either as lead or supporting Director of Public Health chairing or co- chairing the Local Health Resilience Partnership (LHRP) for County Durham, Darlington and Tees Valley.
- 3.11 To oversee the NHS screening programmes, both cancer and non-cancer, ante-natal and children's screening programmes, ensuring the health of the population is adequately protected and raising issues and concerns appropriately.
- 3.12 To oversee the NHS immunisation programmes including children 0-5 years, HPV and seasonal flu and any other that the Secretary of State instructs, including catch up programmes, raising issues and concerns appropriately.
- 3.13 To discharge the Council's responsibilities in relation to communicable and infectious diseases, including healthcare acquired infections.
- 3.14 Implementing or determining, subject to any rights of review or appeal which may apply, all matters concerning the Statutory Public Health complaints procedure.
- 3.15 Setting, varying and recovering charges in respect of certain steps taken in the exercise of health improvement duties.

Article 11 – Officers

11.01 Management Structure

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers.** The Council will engage persons for the following posts, who will be designated Chief Officers:

Post	Main Functions and areas of responsibility
Chief Executive	<ul style="list-style-type: none"> • Overall corporate management and operational responsibility (including overall management responsibility for all officers) • Principal adviser to the Council on general policy • Overall responsibility for delivering the Council’s policies and programmes • Provision of professional advice to all parties in the decision-making process
Assistant Chief Executive	<ul style="list-style-type: none"> • Communications • Corporate Policy, Planning and Improvement • Community Engagement, Community Development and Area Action Partnerships • Equalities, Diversity and Cohesion • Performance Management and Research Information • Partnership Co-ordination and support for the County Local Strategic Partnership • Overview and Scrutiny • Civil Contingencies • Archives and Records
Corporate Director Children and Adults Services	<p>Adult Care Services including:</p> <ul style="list-style-type: none"> • In-House Care Provision • Integrated Social Work/Health Teams • Adult Protection • Carers <p>Commissioning Adult Care Services including:</p> <ul style="list-style-type: none"> • Supporting People • Commissioning and Contracts: Older People, Mental Health, Learning Disability, People with a Disability • Sensory Support • Personalisation <p>Social Inclusion Services including:</p> <ul style="list-style-type: none"> • Health Improvement

Post	Main Functions and areas of responsibility
Corporate Director Children and Adults Services (Cont.)	<ul style="list-style-type: none"> • Prevention • Community Safety • Gypsy and Travellers • Welfare Rights • Specialist Service User Involvement • Substance Misuse • Partnership Boards • Client Related Financial Services • Strategic Needs Assessment <p>Access and Inclusion Services including:</p> <ul style="list-style-type: none"> • Learning Support Services • School Attendance • School Admissions <p>Achievement Services including:</p> <ul style="list-style-type: none"> • Education Development Services • School and Governor Support • Building Schools for the Future • School Place Planning • Schools Capital <p>Extended Services including:</p> <ul style="list-style-type: none"> • SureStart/Early Years • Youth Services • Connexions • Youth Offending Services <p>Safeguarding and Specialist Services including:</p> <ul style="list-style-type: none"> • Local Safeguarding Children's Board • Corporate Parenting • Disability Services • Secure Services • Children in Need <p>Strategic Commissioning including:</p> <ul style="list-style-type: none"> • Performance Management • Children and Families Trust • Health and Safety • Workforce Planning <p>Public Health</p>
Corporate Director Regeneration & Economic Development	<p>Strategic Planning Policy Planning Applications and Appeals Building Control Mineral and Waste Applications Conservation, Archaeology & Ecology Environment Policy Sustainability & Climate Change Economic Policy & Programmes</p>

Post	Main Functions and areas of responsibility
Corporate Director Regeneration & Economic Development (Cont.)	<p>Economic Development Economic Regeneration Employability Business Services County Durham Development Company Housing Strategy & Policy Durham City Homes Housing Renewal and Improvement Prevention & Resolution of Homelessness Strategic Traffic Management Local Transport Planning Network Management Parking Policy Integrated Transport Unit Policy, Planning & Performance Management Countryside & Rights of Way Estates and Property Parking Control Car Parking Enforcement</p>
Corporate Director Neighbourhood Services	<p>Access & Customer Services Strategy</p> <p>Business Regulation including:</p> <ul style="list-style-type: none"> • Trading Standards • Environmental Health • Licensing <p>Leisure – Sports, Leisure & Recreation including Leisure Centres</p> <p>Neighbourhood Services including:</p> <ul style="list-style-type: none"> • Highway Maintenance • Street Lighting • Street Cleansing • Public Realm/Open Space Maintenance • Bereavement Services • Building Services • Housing Maintenance • Neighbourhood Wardens • Operational Community Safety • Waste Collection & Recycling • Fleet Management

Post	Main Functions and areas of responsibility
Corporate Director Neighbourhood Services (Cont.)	Local Traffic Management/Road Safety Waste Management Policy, Planning & Performance Management Libraries, Learning Culture Services including: <ul style="list-style-type: none"> • Adult and Family Learning • Museums • Culture and Arts, Theatres, Galleries • Events Management
Corporate Director Resources	Financial Management Council Tax Collection & Housing Benefits (Revs & Bens) Legal Services Corporate Procurement Human Resources & Organisational Development Information & Communication Technology Democratic Services Electoral Services Members' Services Land Charges Registration of Births, Deaths & Marriages Coroners

(c) **Head of Paid Service, Monitoring Officer, Chief Finance Officer and Scrutiny Officer.** The Council will designate the following posts as shown:

Post	Designation
Chief Executive	Head of Paid Service
Corporate Director, Resources	Chief Finance Officer
Head of Legal & Democratic Services	Monitoring Officer
Overview and Scrutiny Manager	Scrutiny Officer
Director of Public Health	Director of Public Health

Such posts will have the functions described in Article 11.02 – 11.05 below.

11.02 Functions of the Head of Paid Service

- (a) **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) **Restrictions on functions.** The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

11.03 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the full Council or to the Executive in relation to an executive function if he considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Supporting the Standards Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (d) **Receiving reports.** The Monitoring Officer will receive and act on reports made by ethical standards officers and decisions of the case tribunals.
- (e) **Conducting investigations.** The Monitoring Officer will oversee investigations into complaints made under the Code of Conduct and, where appropriate, make reports or recommendations in respect of them to the Standards Committee.
- (f) **Proper Officer for access to information.** The Monitoring Officer will ensure that executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.

- (g) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions of the Executive are in accordance with the budget and policy framework, and whether any particular decision or proposed decision constitutes a key decision.
- (h) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (i) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.
- (j) **Protocol.** In carrying out his functions the Monitoring Officer will observe such protocols as shall from time to time be approved by the Standards Committee.

11.04 Functions of the Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive in relation to an executive function and the Council's external auditor if he considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Give financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

11.05 Functions of the Scrutiny Officer

- (a) **Promotion of the role of the Overview and Scrutiny Management Board and its Committees** – The Scrutiny Officer will promote the role of the Overview and Scrutiny Management Board and its Committees.
- (b) **Support to Committees** – The Scrutiny Officer will provide support to the Overview and Scrutiny Management Board and its Committees, and to the Members of the Board and its Committees.
- (c) **Support and Guidance** – The Scrutiny Officer will provide support to members of the Authority, members of the Executive, and Officers of the Authority, in relation to the functions of the Overview and Scrutiny Management Board and its Committees.
- (d) **Restrictions on Posts** – The Scrutiny Officer cannot be Head of Paid Service, Monitoring Officer, or Chief Financial Officer.

11.06 Functions of the Director of Public Health

- (a) **Contributing to the Health and Wellbeing Board.** The DPH will advise on and contribute to the development of the joint strategic needs assessments and joint health and wellbeing strategies and commission appropriate services accordingly.
- (b) **Management of the Council's Public Health Services.** The DPH will have professional responsibility and accountability for the effectiveness and value for money of the Council's Public Health Services.
- (c) **Production of the annual report on the health of the local population.** The DPH will write the annual report on the health of the local population which the Council has a duty to publish.
- (d) **Responding as a responsible authority under the Licensing Act 2003.** The DPH will make representations about licensing applications.
- (e) **Management of the Council's ring-fenced public health grant.** The DPH will ensure that commissioned services meet the health needs of the population, are cost effective and that monitoring returns are accurate and timely.
- (f) **Providing Leadership, Expertise and Advice.** The DPH will provide leadership, expertise and advice to Senior Officers and Elected Members on a range of public health issues, from outbreaks of disease and emergency preparedness through to improving local people's health and concerns around access to health services.

11.07 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

11.08 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Part 5 of this Constitution.

11.09 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

Officer Employment Procedure Rules

1. Recruitment and appointment

(a) Declarations

- (i) The Council has drawn up procedures which include a requirement that any candidate for an appointment as an officer must state in writing whether they have **any** relationship with any Councillor or officer of the Council;
- (ii) No candidate so related to a Councillor or a senior officer will be appointed without the authority of the relevant Chief Officer or an officer nominated by him.

(b) Seeking support for appointment

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) No Councillor will seek support for any person for any appointment with the Council.

2. Recruitment of Chief Executive and Chief Officers

Where the Council proposes to appoint a Chief Executive or a chief officer and it is not proposed that the appointment be made exclusively from among their existing Officers, the Council will:

- (a) draw up a statement including the following:
 - (i) the duties of the Officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the procedures mentioned in paragraph (1) to be sent to any person on request.

3. Appointments and Dismissals

1. Chief Officers

In this paragraph –

“the Committee” means the Chief Officer Appointments Committee.

“the proper officer” means the Head of Legal and Democratic Services

- (a) The appointment and dismissal of the Chief Executive, Chief Officers and any assistant for political groups (appointed in pursuance of Section 9 of the Local Government Housing Act 1989) is the responsibility of the Committee.
- (b) At least one member of the Executive must be a member of the Committee.
- (c) Where the Committee is proposing to appoint or dismiss the Chief Executive, the County Council must approve that appointment before the offer of appointment is made or must approve that dismissal before notice of dismissal is given.
- (d) The Committee shall not make an offer of appointment in relation to any of the officers named in (a) above (apart from an assistant for political groups) until;
 - (1) The Committee has notified the proper officer of the name of the person to whom the Committee wishes to make the offer and any other particulars which the Committee considers are relevant to the appointment;
 - (2) The proper officer has notified every member of the Executive of the authority of:
 - (i) The name of the person to whom the Committee wishes to make the offer;
 - (ii) Any other particulars relevant to the appointment which the Committee has notified to the proper officer; and
 - (iii) The period within which any objection to the making of the offer is to be made by the Executive Leader on behalf of the Executive to the proper officer; and
 - (3) Either:
 - (i) The Executive Leader has, within the period specified, notified the Committee that neither he nor any other member of the Executive has any objection to the making of the offer;
 - (ii) The proper officer has notified the Committee that no objection was received by him within that period from the Executive Leader; or
 - (iii) The Committee is satisfied that any objection received from the Executive Leader within that period is not material or is not well-founded.

- (e) Notice of the dismissal of an officer named in (a) above must not be given by the Committee until –
- (1) The Committee has notified the proper officer of the name of the person who the Committee wishes to dismiss and any other particulars which the Committee considers are relevant to the dismissal;
 - (2) The proper officer has notified every member of the Executive of the Authority of:
 - (i) The name of the person who the Committee wishes to dismiss;
 - (ii) Any other particulars relevant to the dismissal which the Committee has notified to the proper officer; and
 - (iii) The period within which any objection to the dismissal is to be made by the Executive Leader on behalf of the Executive to the proper officer; and
 - (3) Either –
 - (i) The Executive Leader has, within the period specified, notified the Committee that neither he nor any other member of the Executive has any objection to the dismissal;
 - (ii) The proper officer has notified the Committee that no objection was received by him within that period from the Executive Leader; or
 - (iii) The Committee is satisfied that any objection received from the Executive Leader within that period is not material or is not well-founded.
- (f) Where a member of the Executive attends the Committee set up to deal with a particular appointment or dismissal then such attendance shall constitute notice of and compliance with the requirements of (d) and (e) above.

2. Director of Public Health

- a) The appointment of the Director of Public Health who is appointed in pursuance of Section 73A(7) of the National Health Service Act 2006 (inserted

by section 30 of the Health and Social Care Act 2012) is the responsibility of the Chief Officer Appointments Committee acting as the Advisory Appointments Committee, subject to the approval of the appointment by the Secretary of State for Health.

- b) The Committee will be chaired by the cabinet member of the Health and Wellbeing Board and also include the following
 - (i) An external professional assessor appointed after consultation with the Faculty of Public Health and agreed by Public Health England
 - (ii) The chief executive of the Council or his/her nominated deputy
 - (iii) Senior NHS representation
 - (iv) The Public Health England Regional Director, or another senior professionally qualified member of Public Health England acting on his/her behalf
 - (v) And in the case of appointments to posts which have either teaching or research commitments, or both, the committee should also include a professional member nominated after consultation with the relevant university
- c) Under the current Faculty of Public Health guidance, the overall balance on the Committee is required to have a local and a professional majority.
- d) The Council is required to seek advice and recommendations from Public Health England on the membership of the Committee, including the assessor. It is for the council to decide whether both a medical assessor and non-medical assessor are required.
- e) Assessors must be geographically distant and will normally be from outside the area of the Public Health England Unit where the post is being advertised to maximise objective assessment.
- f) The Council will advise the Secretary of State for Health of their preferred candidate and confirmation of their professional competence, compliance with statutory regulation and necessary registration to undertake the role.
- g) The Advisory Appointments Committee may terminate the appointment of the Director of Public Health following prior consultation with the Secretary of State for Health.

3. Other Officers

- (a) Appointment and dismissal of officers below Chief Officer is the responsibility of the Chief Executive or his nominee, and may not be undertaken by councillors.
- (b) Councillors will not be involved in disciplinary action against any officer below Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct or where the Council's disciplinary, capability and related procedures, as adopted from time to time, allow a right of appeal to Members.

4. **Disciplinary Action**

In this paragraph –

“disciplinary action” includes proposed dismissal for any reason other than redundancy, permanent ill-health or failure to renew a fixed term contract, planned retirement and early retirement and unsatisfactory probationary periods.

(a) **Written Procedures**

- (i) Disciplinary action against the officers referred to in 3(a) above and against the Monitoring Officer will be taken in accordance with the County Council’s Chief Officer Procedures.
- (ii) Disciplinary action against all other officers will be taken in accordance with the County Council’s Local Disciplinary Policy Procedure and Toolkit.

(b) **Independent Person**

No disciplinary action may be taken under 4(a)(i) above except in accordance with a recommendation in a report made by a designated independent person.

(c) **Suspension**

An officer named in 3(a) above and the Monitoring Officer may be suspended whilst an investigation takes place into alleged misconduct. The suspension will be on full pay.

5. **Appeals**

None of the above shall prevent a Councillor serving as a member of an appeals committee or body established to consider an appeal by:

- (i) any person against any decision relating to the appointment of that person as a member of staff of the authority; or
- (ii) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff unless the dismissal relates to a capability issue, misconduct, some other substantial reason, some other statutory enactment or planned retirement where the member of staff has less than six months notice – in these instances the appeal shall be conducted by a senior officer.

6. **Appointment of Political Assistants**

For the purposes of Section 9(2)(d) of the Local Government and Housing Act 1989 (the 1989 Act):

- (a) no appointment shall be made to any post allocated to a political group until the Council has allocated a post to each of the groups which qualify for one;
- (b) no political group shall be allocated a post unless it qualifies for one under the 1989 Act; and
- (c) no political group shall be allocated more than one post.

Table 6**Delegations to the Corporate Director, Resources****Executive Functions**

Subject to the requirement set out below and in compliance with the provisions of Table 1 above the Corporate Director, Resources is authorised to discharge any function of the Executive in relation to:-

- The proper administration of the Council's financial affairs
- The provision of Legal and Democratic Services to the Council
- Human Resources and Organisational Development Services
- ICT Services
- Coroners
- Land charges
- The Registration of Births, Deaths and Marriages

In carrying out these delegated functions the Corporate Director will agree arrangements for consultation with the relevant Cabinet Portfolio Member(s) and will refer to the Executive for consideration and decision those matters directed by the said Member(s)

Specific and Non-Executive Delegations**Finance and Corporate Services**

1. To establish an appropriate Debt Management Strategy and Policy and to implement appropriate action to ensure the collection of revenue, council tax and national non-domestic rates.
2. The administration of housing benefits, including Discretionary Housing Payments and the administration of the Local Council Tax Support Scheme (from 1 April 2013).
3. To exercise the budgetary control functions referred to the Corporate Director under the Council's Financial Procedure Rules.
4. To arrange all borrowings, financing and investment in line with the Council's Treasury Management Policy Statement.
5. To maintain an effective internal audit service.
6. To act as lead officer for the Audit Committee.
7. To act as the Risk Management Officer Champion and ensure appropriate risk management arrangements are in place across the Council.
8. To act as lead officer for maintaining effective corporate governance arrangements and the preparation of the Annual Governance Statement.
9. To make appropriate banking arrangements on behalf of the Council.

10. To insure against risks where he considers this appropriate.
11. The operation of the Council's accounting systems and payroll.
12. In consultation with the Leader and Deputy Leader, to authorise the release of funds from contingencies as set out in the Revenue Budget and to forecast and manage the Council's Collection Fund, making adjustments to payments to principal perception authorities as appropriate.
13. To act as Proper Officer for the purposes of the following provisions of the Local Government Act 1972:
 - (a) Section 115(2) (Accountability of Officers);
 - (b) Section 146 (Transfer of Securities on Alteration of Area Etc.)
14. In relation to the Pension Fund:
 - (a) To exercise the County Council's function as administering authority relating to the Local Government Pension Scheme.
 - (b) To exercise those discretions under the Local Government Pension Scheme Regulations as appear from time to time in Pension Fund Statements of Policy;
 - (c) To authorise, in cases of urgency, the taking of any action by a Manager of the Pension Fund this is necessary in order to protect the interests of the Fund.
 - (d) To take any decision relating to the investment or management of the Pension Fund that cannot reasonably await the next meeting of the Pension Fund Committee.
 - (e) To maintain all necessary accounts and records in relation to the Pension Fund, including the calculation of and payment of benefits, reconciliation and investment of contributions, preparation of the Annual Accounts and preparation of membership data for actuarial valuation purposes.
 - (f) To maintain the system of internal control.
 - (g) To manage the triennial valuation of the Pension Fund.
 - (h) To accept for admission into the Pension Fund employees of authorities and bodies as prescribed in Regulations including transferee and community Admissions which are considered as 'exceptional circumstances', subject to an approved Admission Agreement, and subject to any necessary indemnities as appropriate
 - (i) To be the local referee for disputes under the Local Government Pension Scheme

- (j) To set the appropriate funding target for the Fund under the rules of the Local Government Pension Scheme.
- (k) To carry out, in consultation with the Pension Fund Committee, the requirement to monitor and review the investments made by the Fund Managers and report to each meeting of the Pension Fund Committee on the exercise of this delegation.
- (l) To manage cash flow, allocate funds between investment managers in order to ensure that the Fund's asset allocation is maintained and invest the residual cash balances.
- (m) To arrange and authorise the provision of appropriate Member training, including the attendance at conferences and other similar pension fund related events by Members of the Pension Fund Committee.
- (n) To prepare and submit the necessary Policy Statements to Pension Fund Committee and to arrange for the implementation and review of those statements, strategies, policies and procedures, as required. These include the Funding Strategy Statement
- (o) To prepare and submit the necessary plans and principles to the Pension Fund Committee and to arrange for the implementation and review of those plans and principles, as required. These include the Pension Fund Annual Report and the Statement of Investment Principles.
- (p) To produce as part of the Funding Strategy Statement, an assessment of all the specific risks that can be identified in relation to the management of the Pension Fund.

15. To administer the Council's car leasing scheme.

16. To write off debts.

17. To deal with the payment of Coroner's remuneration and expenses.

18. To ensure appropriate financial arrangements across the Council.

19. To approve premises for the solemnization of marriages and the registration of civil partnerships.

20. To appoint Coroners.

21. To authorise expenditure within the approved budget for civic hospitality.

22. The Corporate Director, Resources also has the powers set out in Table 7 relating to the Building Schools for the Future Programme and the Waste Solution Programme.

23. To agree the terms of loans permitted under law.

24. To make a statutory declaration of local authority mortgage interest.

25. To respond to notices in relation to EU financial sanctions.
26. To receive and respond to expressions of interest under Community Right to Challenge, under Part 5, Chapter 2 of the Localism Act 2011.
27. To forecast yield from Business rates and complete and submit to Government the NNDR 1 return, factoring the implications of the Business Rate Retention Scheme (from 1 April 2013) into the Medium Term Financial Plan.
28. To establish a Council Tax Discretionary Reduction Policy and Business Rates Hardship Relief Policy and administer applications for relief under Section 13A(1)(c) of the Local Government Finance Act 1988.

Human Resources and Organisational Development

29. To implement the Council's decisions in relation to Single Status and Job Evaluation.
30. To approve the regrading of posts up to and including Head of Service level.
31. To offer alternative employment to any permanent employee who becomes surplus to the requirements of the Service or whose employment is at risk through reasons of ill health or other incapacity.
32. To determine applications for the extension of sick pay.
33. To approve applications for leave of absence in cases not covered by the Council's policies.
34. To agree variations to the Council's scheme for payments towards removal expenses, lodging allowances and legal fees for new employees.
35. To approve overtime payments for employees above spinal column point 28.
36. To authorise redundancy payments to school staff after consultation with the Head of Corporate Finance.
37. To coordinate the Member Training and Development Programme including:
 - (a) management of the approved Member Training and Development Budget and
 - (b) authorisation of Member attendance at conferences, seminars and other training and development events in consultation with the Leader and the Head of Legal and Democratic Services.
38. To decide, taking into account the opinion of an independent registered medical practitioner, whether under the Local Government Pension Scheme Regulations, a member is eligible for an ill health pension and if eligible, what level of ill health pension the scheme member should be awarded.

Legal and Democratic Services

The following matters are delegated to the Head of Legal and Democratic Services:

39. To act as Proper Officer for the purposes of the Local Government Acts 1972 and 2000 and all Regulations made there under other than those Proper Officer functions delegated to the Corporate Director, Resources in connection with the administration of the Council's financial affairs. This delegation shall not derogate from the general delegation under Table 1 paragraph 8.
40.
 - (a) To act as Returning Officer for County Council Elections in accordance with Section 35 of the Representation of the People Act 1983 (the 1983 Act).
 - (b) To act as Electoral Registration Officer for the County in accordance with Section 8 of the 1983 Act.
41. To carry out the Proper Officer functions relating to the freedom of the City under the Durham City Council Act, 1985.
42. To act as Proper Officer for the Registration of Births, Deaths and Marriages Service pursuant to Schedule 29 paragraph 41 of the Local Government Act 1972 including administration of the arrangements for the licensing of premises under the Marriage Act and the appointment of staff.
43. To amend the Constitution where necessary to reflect changes in the law or decisions of council bodies or to correct inaccuracies.
44.
 - (a) To prepare all contracts for the sale or purchase of Council Land and property and all leases, tenancy agreements or other agreements affecting Council land or property including easements or any interest in land.
 - (b) To settle legal documents other than those mentioned above relating to or affecting the functions of the Council.
 - (c) To sign the documents referred to in sub-paragraph (a) above and all other formal documents intended to give effect to decisions of a council body.
45. To sign any notice, demand or other document on behalf of the Council in connection with any actual or contemplated legal or enforcement proceedings.
46.
 - (a) Generally, to institute, defend and conduct any legal proceedings relating to the Council's functions or affecting the property, rights or interests of the Council.
 - (b) To authorise named officers to appear on behalf of the Council in legal proceedings in the Magistrates' Court pursuant to Section 223 Local Government Act 1972.

47. To settle any action in any court or tribunal in which the Council is a party or where legal proceedings are indicated providing that any settlement exceeding £50,000 will be subject to prior consultation with the Leader or Deputy Leader of the Council except in cases of urgency where the settlement is made on the advice of Counsel.
48. To settle claims from staff for damage to personal property in accordance with the Council's policies.
49. In consultation with the Chairman of the Standards Committee, to make payments or provide other benefits in cases of maladministration in accordance with Section 92 of the Local Government Act 2000 (as amended).
50. To:
 - (a) appoint Members as proxies to attend and vote at shareholders meetings of any company of which the Council is a shareholder and
 - (b) give consent to written resolutions of any company of which the Council is a shareholder.
51. In consultation with the Chief Executive, to make appointments of Members to local and other outside bodies which are not the subject of report to the Council or the Executive, in consultation with the respective political group leaders.
52. To appoint Review Boards under Regulations under Section 34(4) (Determination of Claims and Reviews) of the Social Security Act 1998.
53. To make arrangements in relation to appeals against the exclusion of pupils from maintained schools.
54. To make arrangements pursuant to Sections 94(1), (1A) and (4) of the Schools Standards and Framework Act 1998 (Admission Appeals).
55. To make arrangements pursuant to Section 95(2) of the Schools Standards and Framework Act 1998 (Children to whom Section 87 applies; Appeals by Governing Bodies).
56. In consultation with the Corporate Director, Neighbourhood Services and the Chairman and Vice-Chairman of the Statutory Licensing Committee or General Licensing and Registration Committee as appropriate, to determine that a particular application shall be considered by the Statutory Licensing Committee or the General Licensing and Registration Committee rather than a Sub-Committee.
57. To consider and respond to representations made by members of the public in relation to a decision to hold a meeting or part of that meeting in private.

Table 4

Delegations to the Corporate Director, Regeneration and Economic Development

Executive Functions

Subject to the requirement set out below and in compliance with the provisions of Table 1 above, the Corporate Director, Regeneration and Economic Development is authorised to discharge any function of the Executive in relation to:-

- Spatial Planning
- Economic Policy and Programmes
- Regeneration
- Housing
- Transport Strategy
- Highways and Local Transport Planning
- Traffic Management, in consultation, where required with the Highways Committee, in relation to functions under the Road Traffic Regulation Act 1984 and 1988
- Network Management and Street Works in relation to the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 including enforcement
- Strategic Tourism
- Conservation and Archaeology
- Town Twinning
- Countryside and rights of way, including enforcement
- Common Land and Town and Village Greens
- Management of the Council's Land and Property Assets

In carrying out these delegated functions the Corporate Director will agree arrangements for consultation with the relevant Cabinet Portfolio Member(s) and will refer to the Executive for consideration and decision those matters directed by the said Member(s)

Specific and non-executive delegations

1. To give consent on behalf of the Council to the County Durham Development Company Limited incurring expenditure of money provided by the Council.
2. To exercise all of the Council's functions relating to public rights of way as set out in Part 1 of Section I of Schedule 1 to the 2000 Regulations except matters reserved to the Highways Committee.
3. To exercise the Council's powers under the Durham City Council Act 1985 in relation to the temporary closure of footpaths.

4. (a) To grant street-works licences under Section 50 of the New Roads and Streetworks Act 1991 (the 1991 Act)
- (b) To issue fixed penalty notices to statutory undertakers who fail to serve correct notices under the New Roads and Street Works Act 1991 to carry out works on the road network.
5. To cancel penalty charge notices in respect of parking contraventions under the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.
6. To exercise the Council's powers under the Traffic Management Act 2004 and Transport Act 2000 to issue a penalty charge notice in connection with parking offences and part of the civil parking regime.
7. To deal with the provision and maintenance of bus stop infrastructure in highways and, if necessary, land abutting highways.
8. To undertake non-statutory consultations before implementing proposals to locate bus stop infrastructure, subject to consultation with Highways Committee before exercising this delegated power if there are unresolved representations to such proposals.
9. Provision and operation of closed circuit television in accordance with the Criminal Justice and Public Order Act 1994 and the Private Security Industry Act 2001.
10. To discharge the regulatory and enforcement functions of the Council under the legislation set out in the Appendix to this Table.
11. To enter into Section 38 of the Highways Act 1980 agreements to adopt and thereafter maintain highways at the public expense.
12. To review decisions made by the Head of Spatial Policy, Planning, Assets and Environment, relating to the list of assets of community value.

The following matters are, in addition, delegated to the Head of Spatial Policy, Planning, Assets and Environment:

13. Determine all forms of planning and other applications and all notifications submitted under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990 or under any related principal or secondary legislation, except the following –
 - (a) those applications or notifications that any Member of the Council requests be determined by the Planning Committee. (such must be made in writing to the Head of Spatial Policy, Planning, Assets and Environment specifying material planning grounds on which the request is made and received by the Head of Spatial Policy, Planning, Assets and Environment within 21 days of publication on the weekly list);

(b) those applications or notifications where a Member of the Council or an officer of the Regeneration and Economic Development Service has an interest in the property or land which is the subject of the application or notification;

(c) those applications where despite a Town or Parish Council having expressed objection or support on material planning grounds the officer is minded to recommend the application contrary to the Town or Parish Council wishes and the local council have made a specific request in writing for the application to go before a planning committee which is received by the Head of Spatial Policy, Planning, Assets and Environment within 21 days of publication on the weekly list.;

(d) Major developments (but not including Reserved Matters, applications for extension of time or applications for a material minor amendment) comprising –

(i) ten or more dwellings (detailed and outline applications) except where the application is for a substitution of house types on a scheme already benefiting from an extant planning permission;

(ii) industrial floor space of 5000 m² or more comprised in Use Class B1 (Business) and/or Use Class B2 (General Industrial) and/or Use Class B8 (Storage or Distribution); or

(iii) all other developments where the floor space is 1000 m² (gross) or more or the site area is 1 hectare or more except applications where the use or building would be for agriculture or personal equestrian use;

(e) those applications for planning permission or notifications likely to have, in the opinion of the Head of Spatial Policy, Planning, Assets and Environment, a significant impact on the environment or are by their nature particularly controversial;

(f) those applications or notifications recommended for refusal which involve the creation of 10 or more full time or equivalent jobs;

(g) those applications or notifications where there is a significant departure from Development Plan policy and which would be required to be the subject of a notification to the Secretary of State;

14. To take all necessary steps in connection with the defence of appeals against any refusal or failure to determine any of the applications and notifications mentioned at paragraph 13 above.
15. To respond to any pre-application or other consultation on nationally significant infrastructure projects submitted or to be submitted to the Major Infrastructure Planning Unit under the Planning Act 2008.

16. To authorise the making of a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995.
17. To authorise the drafting, negotiation and completion of Section 106 Planning Obligations, S106A Variations to Planning Obligations and Release of Section 52 Planning Agreements.
18. Authorise, sign and serve all enforcement and other notices under the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 on behalf of the Council.
19. Authorise the taking of prosecution action applications for injunctions and to instruct the Head of Legal and Democratic Services, as necessary, to instigate legal proceedings in respect of the enforcement of legislation relating to town and country planning.
20. Authorise the taking of default action under Sections 178 & 219 of the Town and Country Planning Act 1990.
21. To exercise powers of revocation/modification of planning permissions (Section 97), discontinuance of a use/alteration or removal of a building (Section 102 & Schedule 9) and the making of Prohibition or Suspension Orders (Schedule 9) of the Town and Country Planning Act 1990.
22. Authorise the making, confirmation, revocation and variations of Tree Preservations Order (including emergency orders).
23. In connection with any proposed development under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, determine whether an Environmental Impact Assessment is required (screening) and the information required (scoping).
24. Authorise individual named officers to exercise powers of entry contained in the following:
 - Town and Country Planning Act 1990
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - Planning (Hazardous Substances) Act 1990
 - Building Act 1984
 - Fire Safety and Safety of Places of Sport Act 1987
 - Safety of Sport Grounds Act 1975
 - Local Government (Miscellaneous Provisions) Act 1982
 - Party Wall Act 1996
 - Planning & Compensation Act 2004 (so far as is relevant)
 - or such other Acts of Parliament as relate to the relevant statutory functions of the planning authority;
25. Act under and in respect of –
 - (a) Sections 16, 18 to 21, 23 to 25, 32, 35 and 36, Building Act 1984;

- (b) Sections 71 to 73 and 77 to 83, Building Act 1984;
 - (c) Building Regulation 14 with regard to giving of notices and requiring the laying open, cutting into, and pulling down the building, works or fittings
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 - (d) Sections 29-32, Local Government (Miscellaneous Provisions) Act 1982;
 - (e) Party Wall Act 1996;
26. Accept and reject notices, certificates and certificates of compliance from Approved Inspectors and Public Bodies under Sections 47 to 54, Building Act 1984 and to issue safety certificates in accordance with Part III, Fire Safety and Safety of Places of Sport Act 1987;
 27. To authorise, sign and serve all notices and deal with all applications, licences, revocations and suspensions and take all necessary enforcement action on behalf of the Council in respect of its responsibilities for matters of building control.
 28. To administer and determine complaints about high hedges under the Anti-Social Behaviour Act 2003.
 29. The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land.
 30. In consultation with the Local Members and the relevant Cabinet Portfolio Member, to sell or lease any property which is surplus to the requirements of the Service for which it is held and where after enquiries no other Service has expressed an interest in the property.
 31. To approve the principle of acquiring property at a price not exceeding £60,000.
 32. To settle the terms of the purchase or lease of property the acquisition of which has been approved in principle by the Council.
 33. To negotiate the acquisition of wayleaves, licences etc. required to facilitate the discharge of the Council's functions.
 34. To deal with applications for easements, rights of way, wayleaves, licences, covenants and consents affecting council land and property not materially affecting the use to which it is or might be put.
 35. In consultation with the appropriate Service representative to grant leases for up to 21 years on any council owned property, whether or not it has been declared surplus.
 36. In respect of leases, to carry out rent reviews and to grant renewals, variations, assignments, sub-lettings, surrenders and other landlords' consents.

37. To agree the appropriation of land from one use to another where this is necessary to facilitate schemes to be carried out by or on behalf of the Council.
38. To settle compensation claims not exceeding £50,000 either under the provisions of Part 1 of the Land Compensation Act 1973 or as a result of the Council taking entry to property for borehole samples, surveys or other site investigations.
39. To negotiate and agree the rating assessment and valuation of all council owned property, in consultation with the Head of Corporate Finance.
40. To require information as to interests in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
41. To negotiate abortive costs in the event of a transaction not proceeding in circumstances where the Council has a liability to pay costs.
42. Where required as part of the appropriate management of the Council's assets, to authorise the demolition of Council buildings.
43. To refer all unresolved objections to disposals and appropriations of Open Space and Public Walks and Pleasure Grounds as set out in Section 10 of the Open Spaces Act 1906 and Section 164 of the Public Health Act 1875 to the General Licensing and Registration Committee for determination.
44. To authorise and maintain a list of assets of community value and to make adjudications and decisions in relation thereto, as defined in Part 5, Chapter 3 of the Localism Act 2011.
45. All duties arising out of the establishment of the Business Improvement Districts.
46. To designate any areas to be of special architectural or historical interest as conservation areas; to review and amend the boundaries, and conclude Character appraisals; and to formulate and prepare proposals for the preservation and enhancement of those areas.
47. To exercise the Council's function in relation to housing including:-
 - (a) determining the conditions to be included in tenancy agreements;
 - (b) making any decisions necessary to comply with the Council's obligations to secure tenants in compliance with the legislation referred to in the Appendix to Table 4;
 - (c) the determination of any applications for grant assistance pursuant to the legislation listed in the Appendix at Table 4;
 - (d) the allocation of tenancies in accordance with policies approved by the Council;
 - (e) to determine all requests for consents required by the terms of tenancy agreements;
 - (f) to authorise action to enforce a breach of condition in tenancy agreements, including in consultation with the Head of Legal and

Democratic Services where necessary, the institution of legal proceedings;

- (g) the exercise of the Council's enforcement powers under the legislation listed in the Appendix to Table 4 in relation to private sector housing;
- (h) to authorise the implementation of any action necessary to recover monies due to the Council as a result of its exercise of the powers contained in legislation listed in the Appendix at Table 4;
- (i) to investigate and determine all applications made to the Council under its powers and duties to deal with homelessness in the legislation described in the Appendix at Table 4:
- (j) to authorise any expenditure required in the exercise of the Council's functions to assist the homeless.
- (k) To amend agreements entered with Arms length Management organisations;
- (l) To respond on the Council's behalf to requests for consent to alterations to the Articles of Association of Large Scale Voluntary Transfer companies.

Appendix to Table 4

Acquisition of Land Act 1981
Building Act 1984
Commons Act 1876
Commons Act 2006
Commons Registration Act 1965
Countryside and Rights of Way Act 2000
Electricity at Work Act 1989
Environmental Protection Act 1990
Environment Act 1995
Fraud Act 2006
Gas Safety(Installation and use) Regulations 1998
Highways Act 1980
Home Energy Conservation Act 1997
Homelessness Act 2002
Housing Act 1985
Housing Act 1988
Housing Act 1996
Housing Act 2004
Housing and Regeneration Act 2008
Housing Grants Construction and Regeneration Act 1996
Inclosure Act 1857
Landlord and Tenant Act 1985
Leasehold Reform Housing and Urban Development Act 1993
Local Democracy, Economic Development and Construction Act 2009
Local Government (Miscellaneous Provisions) Act 1982
Local Government (Miscellaneous Provisions) Act 1976
Local Government Act 1972
Local Government Act 2003
Local Government and Housing Act 1989
Localism Act 2011
Local Transport Act 2008
New Roads and Street Works Act 1991
Prevention of Damage by Pests Act 1949
Protection from Eviction Act 1977
Public Health Act 1936
Public Health Act 1961
Railway Clauses Consolidation Act 1985
Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
Rights of Way Act 1991
Road Traffic Regulation Act 1984 and 1988
Town and Country Planning Act 1990
Town Police Clauses Act 1847
Traffic Management Act 2004
Transport Act 1985
Transport Act 2000
Warm Homes and Energy Conservation Act 2003
Wildlife and Countryside Act 1981

Table 5

Delegations to the Corporate Director, Neighbourhood Services

Executive Functions

Subject to the requirement set out below and in compliance with the provisions of Table 1 above the Corporate Director, Neighbourhood Services is authorised to discharge any function of the Executive in relation to:-

- Highway design and maintenance
- Clean Neighbourhoods and Environment
- Open Spaces
- Leisure and Recreation
- Public Health and Pest Control
- Waste Management and Recycling
- Street Cleansing
- Building and Technical Services
- Traffic Management, in consultation, where required, with the Highways Committee in relation to functions under the Road Traffic Regulation Act 1984.
- Community Safety
- The Waste Solution Programme as set out in Table 7
- Private Sector Housing Enforcement
- Animal Welfare/Infectious Disease Control
- Trading Standards and Consumer Protection
- Burial and Cremation
- Street Naming and Numbering
- Provision, operation and commissioning of public libraries, museums, art galleries, theatres, arts development, heritage facilities, with the exception of major changes in the pattern of the provision including permanent closure of these facilities.

In carrying out these delegated functions the Corporate Director will agree arrangements for consultation with the relevant Cabinet Portfolio Member(s) and will refer to the Executive for consideration and decision those matters directed by the said Member(s)

Specific and Non-Executive Delegations

1. To exercise all of the Council's functions including licensing, registration, making of orders, issue of notices and enforcement in respect of the following matters referred to in Schedule 1 to the 2000 Regulations:
 - (a) performances of hypnotism;

- (b) premises for acupuncture, tattooing, ear piercing and electrolysis;
- (c) pleasure boats and pleasure vessels;
- (d) night cafes and take-away food shops;
- (e) sale of non-medicinal poisons;
- (f) premises for the preparation of food including registration;
- (g) scrap yards;
- (h) pet shops and the breeding and boarding of dogs or other animals;
- (i) animal trainers;
- (j) knackers' yards;
- (k) charitable collections;
- (l) operation of loudspeakers;
- (m) street works licences;
- (n) movement and sale of cattle and pigs;
- (o) all the provisions of the Highways Act 1980:
- (p) storage of celluloid;
- (q) meat, fish, dairy and egg product establishments and butchers' shops;
- (r) motor salvage operations;
- (s) health and safety at work;
- (t) smoke-free premises;
- (u) caravan and camping sites and moveable dwellings.

2. To exercise the Council's functions in relation to:

- (a) the control of pollution and the management of air quality;
- (b) statutory nuisances, as referred to in Schedule 2 to the 2000 Regulations;
- (c) contaminated land;
- (d) port health;

- (e) the determination of applications for approval of drainage systems submitted pursuant to Schedule 3 of the Flood and Water Management Act 2010.

The matters set out in paragraphs 3 to 14 below are, in addition, delegated to the Head of Environment, Health and Consumer Protection:

3. To exercise, in consultation with the Head of the Legal and Democratic Services the Council's licensing, approval, registration and enforcement functions, including the institution of legal proceedings under legislation set out in Appendix 1 to this Table and all associated secondary legislation as amended from time to time.
4. In consultation with the Head of Legal and Democratic Services to review and update the list of relevant legislation contained within Appendix 1 to this Table to reflect new or modified statutory provisions.
5. Subject to Appendices 2, 3 and 4 to this Table to authorise, suspend, vary, transfer, extend or revoke permits, licences, certificates, registrations and approvals issued under the legislation set out in the Appendix 1 to this Table including all relevant statutory provisions.
6. To issue simple and conditional cautions to persons guilty of criminal offences under the legislation as referred to in paragraph 3 above and in accordance with PACE and the Home Office Guidance.
7. To authorise suitably qualified and competent staff within the Environment, Health and Consumer Protection Division and other persons acting on behalf of the Council, for the purposes of discharging duties and powers under the legislation referred to in paragraph 3 above.
8. To authorise another local authority to institute legal proceedings in respect of a contravention of the legislation set out in Appendix 1 to this Table where related contraventions are being investigated by that authority.
9. To grant authorisations in relation to illegal money lending and unfair trading practices.
10. Power to agree transfers and assignments under health and safety legislation to change Enforcing Authority responsibilities.
11. Power to appoint Proper Officers and alternate Proper Officers for the Authority for matters relating to Public Health, Port Health and the Control of Infectious Disease.
12. Power to appoint Public Analyst, Agricultural Analyst and Food Examiner for the Council.

13. To authorise Officers to institute and or defend on behalf of the Council any legal proceedings which the Council by itself, or by a duly empowered Committee, may decide to take. In this respect, nominated staff are hereby authorised to appear in Court in person, or to be represented by a duly appointed officer of the Council in accordance with Section 223 of the Local government Act 1972 or to be represented by a duly instructed solicitor.
14. To determine those applications and matters in relation to Licensing and Gambling as are referred to in Appendices 2, 3 and 4 to this Table.
15. To agree terms of conditions and licenses in accordance with published best practice and/ or guidance.

The matters set out in paragraphs 16 to 21 below are, in addition, delegated to the Head of Direct Services and Head of Technical Services:

16. To exercise, in consultation with the Head of Legal and Democratic Services the Council's enforcement functions, including the institution of legal proceedings, under legislation set out in Appendix 5 to this Table and all relevant statutory provisions, as amended from time to time.
17. To authorise suitably qualified and competent staff within Neighbourhood Services and other persons acting on behalf of the Council, for the purposes of discharging duties and powers under the legislation referred to in Appendix 5 to this Table.
18. In consultation with the Head of Legal and Democratic Services to review and update the list of relevant legislation contained within Appendix 5 to this Table to reflect new or modified statutory provisions.
19. To issue simple and conditional cautions to persons guilty of criminal offences under the legislation as referred to in Appendix 5 to this Table and in accordance with PACE and the Home Office Guidance.
20. To discharge the regulatory and enforcement functions of the Council under the legislation set out in Appendix 5 to the Table.
21. In consultation with the Head of Legal and Democratic Services to take enforcement action under bye-laws relating to arts, libraries and museums.

Appendix 1 to Table 5

Administration of Justice Act 1970
Agriculture Act 1970
Agriculture (Miscellaneous Provisions) Act 1968
Agricultural Produce (Grading and Marking) Acts 1928 and 1931
Animal Boarding Act 1963
Animal Health Act 1981
Animal Welfare Act 2006
Anti-Social Behaviour Act 2003
Breeding of Dogs Act 1971
Breeding of Dogs Act 1991
Breeding and Sale of Dogs (Welfare) Act 1999
Building Act 1984
Business Names Act 1985
Caravan Sites and Control of Development Act 1960
Caravan Sites Act 1968
Children and Young Persons (Protection from Tobacco) Acts 1933 and 1991
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Companies Act 1985
Consumer Credit Act 1974
Consumer Protection Act 1987
Control of Pollution (Amendment) Act 1989
Control of Pollution Act 1974
Copyright, Design and Patents Act 1988
Criminal Justice and Police Act 2001
Criminal Justice and Public Order Act 1994
Courts and Legal Services Act 1990
Dangerous Wild Animals Act 1976
Development of Tourism Act 1969
Education Reform Act 1988
Employment of Women, Young Persons and Children Act 1920
Energy Act 1976
Energy Conservation Act 1981
Enterprise Act 2002
Environmental Protection Act 1990
Environment Act 1995
Estate Agents Act 1979
European Communities Act 1972
Explosives Acts 1975 to 1976
Fair Trading Act 1973
Farm and Garden Chemicals Act 1967
Food Act 1984
Food Hygiene (England) Regulations 2006
Food and Environment Protection Act 1985
Food Safety Act 1990
Gambling Act 2005
Hallmarking Act 1973
Health Act 2006
Health and Safety at Work etc. Act 1974

House to House Collections Act 1939
Housing Act 2004
Insurance Brokers (Registration) Act 1977
International Health Regulations 2005
Intoxicating Substances (Supply) Act 1985
Land Drainage Act 1976
Land Drainage Act 1991
Land Drainage Act 1994
Licensing Act 2003
Local Government Act 1972
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Localism Act 2011
Medicines Act 1968
Mock Auctions Act 1961
Motor Vehicle Salvage Operators Regulations 2002
National Assistance Act 1948
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Performing Animals (Regulation) Act 1925
Pesticides Act 1995
Pesticides (Fees and Enforcement) Act 1989
Pet Animals Act 1951 and Amendment Act 1983
Poisons Act 1972
Pollution Prevention and Control Act 1999
Prevention of Damage of Pests Act 1949
Prices Acts 1974 and 1975
Property Misdemeanors Act 1991
Protection of Animals Act 1911 (as amended)
Public Health Act 1936
Public Health Act 1961
Public Health (Control of Diseases) Act 1984
Public Health (Ships) Regulations 1979
Public Health (Ships)(Amendment)(England) Regulations 2007
Riding Establishments Acts 1964 and 1970
Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Acts 1988 and 1991
Road Traffic Offenders Act 1988
Road Traffic (Consequential Provisions) Act 1988
Scrap Metal Dealers Act 1964
Shops (early Closing Day) Act 1995
Slaughter of Poultry Act 1967
Slaughterhouse Act 1974
Solicitors Act 1974
Sunbeds (Regulations) Act 2010
Sunday Trading Act 1994
Telecommunications Act 1984
Theft Act 1968
Timeshare Act 1992
Tobacco Advertising and Promotions Act 2002
Town and Country Planning Act 1990

Trade Descriptions Acts 1968 and 1972
Trade Marks Act 1994
Trading Representations (Disabled Persons) Act 1958 and 1972
Trading Stamps Act 1964
Traffic Management Act 2004
Unsolicited Goods and Services Acts 1971 and 1975
Video Recordings Acts 1984 and 1993
Water Industries Act 1991
Weights and Measures Act 1985
Young Persons (Employment) Acts 1938 and 1964
Zoo Licensing Act 1987

Appendix 2 to Table 5 - Delegation of Licensing Act 2003 responsibilities

Matter to be dealt with	(1) Full Committee	(2) Sub-Committee	(3) Officers
Application for Personal Licence		If a Police objection is made	If no objection made
Application for Personal Licence with unspent convictions		All cases	
Application for Premises Licence/Club Premises Certificate		If a relevant representation is made	If no relevant representation is made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary Premises Licence/Club Premises Certificate		If a relevant representation is made	If no relevant representation is made
Application to vary designated Premises Supervisor		If a Police objection is made	All other cases
Request to be removed as designated Premises Supervisor			All cases
Application for transfer of Premises Licence		If a Police objection is made	All other cases
Application for interim authorities		If a Police objection is made	All other cases
Application to review Premises Licence/Club Premises Certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous or vexatious, etc.			All cases, in consultation with the Chair or Vice Chair of the Statutory Licensing Committee
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police representation to a temporary event notice		All cases	

Appendix 3 to Table 5 - Gambling Act 2005 – Scheme of Delegations

Gambling Act 2005	Functions	Delegation
Section 163	Determination of application for Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application for Premises Licence where no relevant representations received	Licensing Sub-Committee Officers
Section 162	Attachment of condition to Premises Licence or exclusion of default condition	Licensing Sub-Committee
Section 162	Decision as to whether representation is vexatious, frivolous, or would certainly not influence the authority's determination of application	Officers in consultation with Chairman or Vice-Chairman at the Licensing Committee
Section 187	Determination of application to vary Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application to vary Premises Licence in respect of which no representation received	Licensing Sub-Committee Officers
Section 188	Determination of application for transfer of Premises Licence in respect of which representations have been made (not withdrawn) Determination of application for transfer of Premises Licence where no representations received	Licensing Sub-Committee Officers
Section 193	Revocation of Premises Licence for failure to pay annual fee	Officers
Section 194	Determination that a Premises Licence has lapsed	Officers
Section 195	Reinstatement of lapsed Premises Licence in respect of which representations have been made (and not withdrawn) Reinstatement of lapsed Premises Licence where no representation is received	Licensing Sub-Committee Officers
Section 198	Rejection of application for review of Premises Licence on various grounds	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 200	Initiation of review of Premises Licence	Officers
Section 201	Determination that representation about review of Premises Licence is frivolous, vexatious or will certainly not influence a review of a Premises Licence	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 202	Determination of action following review of Premises Licence	Licensing Sub-Committee

Gambling Act 2005	Functions	Delegation
Section 204	Determination of application for provisional statement in respect of Premises Licence where representations have been made (and not withdrawn) Determination of application for provisional statement in respect of which no representations received	Licensing Sub-Committee Officers
Section 205	Decision to disregard representations made in respect of application for a Premises Licence after issue of provisional statement	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 218	Issue of counter notice to Temporary Use Notice where number of permitted days are exceeded	Officers
Section 221	Objection to Temporary Use Notice	Officers
Section 222	Issue of counter notice in response to Temporary Use Notice	Licensing Sub-Committee
Section 284	Making of Order to remove exemptions from specified premises	Licensing Sub-Committee
Section 346	Institution of criminal proceedings in respect of an offence under the provisions of the Act	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Schedule 10 Paragraph 8 Paragraphs 14 and 15	Determination of application for Family Entertainment Centre Gaming Machine Permit Notification of lapse of Family Entertainment Centre Gaming Permit	Head of Administration (or in his absence the Central Services Manager) (Refusal to be exercised only in consultation with Chairman or Vice-Chairman of the Licensing Committee) Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Schedule 11 Paragraph 44 Paragraph 48 Paragraph 50 Paragraph 54	Registration of society for small society lottery Refusal of application for registration of society for small society lottery Revocation of registration of society for small society lottery Cancellation of registration of society for small society lottery for non-payment of annual fee	Officers Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee Officers

Gambling Act 2005	Functions	Delegation
<p>Schedule 12 Paragraphs 5 and 10 and 24</p> <p>Paragraph 15</p> <p>Paragraph 21</p> <p>Paragraph 22</p>	<p>Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit in respect of which representations have been made (and not withdrawn)</p> <p>Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit where no representations received</p> <p>Determination of application for variation of Club Gaming Permit and in respect of which Club Registration Permit and cancellation of permit representations have been made (and not withdrawn)</p> <p>Determination of application for variation of Club Gaming Permit and Club Registration Permit and cancellation of permit where no representations received</p> <p>Cancellation of Club Gaming Permit and Club Registration Permit</p> <p>Cancellation of Club Gaming Permit and Club Registration Permit for failure to pay annual fee</p>	<p>Licensing Sub-Committee</p> <p>Officers</p> <p>Licensing Sub-Committee</p> <p>Officers</p> <p>Licensing Sub-Committee</p> <p>Officers</p>
<p>Schedule 13 Paragraphs 4, 15 and 19</p> <p>Paragraph 16</p>	<p>Determination of application for grant, variation or transfer of Licensed Premises Gaming Machine Permit</p> <p>Cancellation of Licensed Premises Gaming Machine Permit or variation of number or category of machines in respect of which representations received (and not withdrawn)</p>	<p>Officers (Refusal and limitation on number of machines only in consultation with Chairman or Vice-Chairman of the Licensing Committee)</p> <p>Licensing Sub-Committee</p>
<p>Paragraph 17</p>	<p>Cancellation of Licensing Premises Gaming Machine Permit and variation of number or category of machine where no representations received</p> <p>Cancellation of Licensed Premises Gaming Machine Permit for failure to pay annual fee</p>	<p>Officers</p> <p>Officers</p>
<p>Schedule 14 Paragraphs 9 and 18</p> <p>Paragraph 15</p>	<p>Determination of application for Prize Gaming Permit and application for renewal of Permit</p> <p>Determination that Prize Gaming Permit has lapsed</p>	<p>Officers (Refusal only in consultation with Chairman or Vice-Chairman of Licensing Committee)</p> <p>Officers</p>

Appendix 4 to Table 5 - Hackney Carriage and Private Hire Licensing

Matters to be dealt with	Full Committee	Sub-Committee	Officers
Application for a Drivers Licence where there are no concerns over their fitness and propriety			X
Application for a Drivers Licence where doubts on fitness and propriety are minor traffic offences			X
Application for a Drivers Licence where there is a lapse of time or circumstances for convictions fall outside of the Policy		X	
Application for a Drivers Licence where there is any other doubt on suitability		X	
Revocation of Driver or Operator Licence		X	
Revocation of Vehicle Licence			X
Suspension of Licences			X

Appendix 5 to Table 5

Animal Welfare Act 2006
Anti-Social Behaviour Act 2003
Burial Act 1853
Burial Act 1857
Civic Amenities Act 1967
Clean Neighbourhoods and Environment Act 2005
Control of Pollution Act 1974
Control of Pollution (Amendment) Act 1989
Criminal Justice and Public Order Act 1994
Criminal Damage Act 1971
Crime and Disorder Act 1998
Dangerous Dogs Act 1991
Directives and Regulations Dogs (Fouling of Land) Act 1996
Dogs (Fouling of Land) Act 1996
Environment Act 1995
Environmental Protection Act 1990 (Part II, III and IV and all associated EU Directives and Regulations) (Part VIII)
Highways Act 1980
Household Waste and Recycling Act 2003
Local Government Act 1972
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Localism Act 2011
Local Authorities Cemeteries Order 1977
Local Transport Act 2008
New Roads and Street Works Act 1991
Open Spaces Act 1906
Parochial Registers and Records Measure 1978
Police Reform Act 2002
Public Health Act 1925 - Street Naming and Numbering Functions
Public Health Act 1936
Public Health Act 1961
Refuse Disposal (Amenity) Act 1978
Registration of Burials Act 1864
Road Traffic Regulation Act 1984
Town and Country Planning Act 1990
Town Improvement Clauses Act 1847 – Street Naming and Numbering Functions
Town Police Clauses Act 1847
Transport Act 2006
Waste Minimisation Act 1998