

CORPORATE DIRECTOR
(PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

The Corporate Director (Public Protection, Planning and Governance) is authorised:-

To deputise for the Chief Executive as necessary.

To undertake any function delegated to a Director/Head of Service provided it is within the law and within his/her capacity.

To be responsible for the implementation of strategies, policies and plans relating to Law and Administration, Emergency Planning and Risk Management, Human Resources, Public Health and Protection, Hackney Carriage, Town Planning, Building Control, Planning and Estate Management, Economic Development, Landscape and Ecology Services.

The Corporate Director (Public Protection, Planning and Governance) is the nominated senior responsible officer for the purposes of the Regulation of Investigatory Powers Act 2000 and is an Authorising Officer for the purpose of the use of covert intelligence under the Act.

1. LAW AND ADMINISTRATION

The Head of Law and Administration is authorised to act as the Council's principal legal advisor and is authorised to instruct and retain Counsel, external Solicitors or other experts in legal proceedings and obtain advice in relation to any matter whenever this is considered to be in the interest of the Council,

The Head of Law and Administration is the Monitoring Officer and will exercise all powers necessary to fulfil that statutory role pursuant to Sections 5 and 5A of the Local Government and Housing Act 1989 and is authorised:

- 1.1 To receive complaints of alleged failure by Members to comply with the Code of Conduct determining whether a complaint merits formal investigation and to arrange such investigation, seeking resolution of complaints without formal investigation wherever practicable, with the discretion to refer decisions on investigation to the Standards Committee where the Monitoring Officer (and in the absence of the Monitoring Officer, the Deputy Monitoring Officer) feels that it is inappropriate for Officers to take the decision.
- 1.2 To have the power to grant dispensations to Members, where they have a "disclosable pecuniary interest" (and in the absence of the Monitoring Officer, the Deputy Monitoring Officer) under Section 33 (2) (a), (b), (c), (d) and (e) of the Localism Act 2011, and that where the Monitoring Officer or Deputy Monitoring Officer consider it appropriate to refer the request to the Standards Committee for that body to decide whether to grant such dispensation.

- 1.3 To make changes to the Constitution where required in any relevant circumstances.
- 1.4 To advise the Council on employment legislation, including where necessary attendance on behalf of the Council at Employment Tribunal proceedings.
- 1.5 To authorise the institution or defence, appearance at, withdrawal or settlement of any legal proceeding and be responsible for its conduct in any civil or criminal proceedings provided any necessary Committee/Cabinet approvals have been obtained and in particular:-
 - a) To negotiate and settle claims or disputes of any description including the payment of damages, compensation etc and legal costs for claims of less than £15,000 in consultation with the Head of Paid Service and Corporate Directors.
 - b) To negotiate and settle claims or disputes of any description including the payment of damages, compensation etc and legal costs for claims from £15,000 and up to a limit of £50,000 in consultation with the Head of Paid Service and Corporate Directors and the Leader and Executive Member, Resources, subject to a report on the action taken being submitted to the next meeting of the Council.

The following delegated powers in 1.6 to 1.18 can also be exercised by the Head of Law and Administration and Legal Services Manager who may also delegate to a suitably qualified or experienced officer.

- 1.6 To authorise, issue and serve all Statutory Notices (including Requisitions for Information) under any enactment. The Corporate Director (Public Protection, Planning and Governance) may authorise another officer to serve all such notices, once issued by him. The Head of Law and Administration may exercise the power of another officer to authorise, issue and serve such notices when that officer is unable or unwilling to act.
- 1.7 To take all steps incidental to completing or obtaining the confirmation of any Order or other statutory decrees made by the Council
- 1.8 To sign and seal documents on behalf of the Council.
- 1.9 To authorise the institution of legal proceedings in accordance with legislation and common law for the purpose of securing possession of land occupied by travellers.
- 1.10 To give legal effect to all agreements, contracts or any other document requiring execution and completion by the Council provided any necessary Committee/Cabinet approvals have been obtained.
- 1.11 To carry out on behalf of and in the name of the Council the acquisition and disposal of land including for the avoidance of doubt the sale of Council houses once terms have been agreed and any necessary Committee/Cabinet approvals have been obtained.
- 1.12 To enter into agreements under statutory or other powers to ensure that the Council's functions are fulfilled.

- 1.13 To maintain the Council's legal documentation.
- 1.14 To make street closure orders under section 21 of the Town Police Clauses Act 1847.
- 1.15 To ensure compliance with the requirements specified in relevant Data Protection and Freedom of Information legislation.
- 1.16 To be responsible, in conjunction with the Governance Services Manager for arranging the annual member induction, training and development programmes.
- 1.17 To receive petitions and refer them to the appropriate Committee, in accordance with the Council's Petition Scheme and reject those petitions which do not meet the scheme or which are considered to be vexatious, abusive or otherwise inappropriate.
- 1.18 To be responsible, in conjunction with the Procurement Manager, for the co-ordination of the procurement function throughout the Council to ensure compliance with relevant legislation and that best practice and value for money are achieved in procurement exercises and the development of appropriate strategies.

2. HUMAN RESOURCES

All the following delegated powers relating to Human Resources can also be exercised by the Human Resources Manager who may also delegate to a suitably qualified or experienced Officer.

Responsible for the strategic management of Human Resources and overall responsibility for the Human Resources service area, including:

- 2.1. Workforce development planning
- 2.2. Policies and procedures for Corporate Management Team approval relating to all aspects of employment, and to undertake necessary consultation & negotiations with recognised Trade Unions.
- 2.3. To implement nationally agreed pay awards for all employees.
- 2.4. To negotiate and agree settlement agreements where the circumstances warrant it.
- 2.5. Report on cases outside current policies to the Corporate Management Team for decision.
- 2.6. To arrange a corporate learning & development programme.
- 2.7. To ensure apprenticeship levy funding is maximised.

- 2.8. To negotiate and agree Occupational Health provision, an Employee Assistance Programme and other employee benefits as directed by Corporate Management Team.

3. PUBLIC HEALTH AND PROTECTION, INCLUDING ENVIRONMENTAL HEALTH AND LICENSING

The Head of Public Health and Protection and Licensing Team Leader are Authorising Officers for the purpose of the use of covert surveillance under the Regulation of Investigatory Powers Act 2000.

The Head of Public Health and Protection is a member of the WHC Resilience Team and may take all necessary and appropriate action in response to a civil emergency or business continuity incidents, in accordance with the Council's Emergency Plan or Business Continuity Plans.

All the following delegated powers can also be exercised by the Head of Public Health and Protection who may also delegate to a suitably qualified or experienced Officer.

- 3.1. To serve or authorise service of notices:
- a) Requiring the disclosure of interests in land.
 - b) Requiring the abatement of statutory nuisances and prohibiting the occurrence or recurrence of statutory nuisances.
- 3.2. To defer the service of abatement notices in respect of noise nuisance.
- 3.3. To take action to ensure the restoration or continuation of the supply of water, gas or electricity to premises.
- 3.4. To negotiate contracts in respect of pest control.
- 3.5. To negotiate contracts for the performance of any environmental health function.
- 3.6. To authorise the carrying out of works in default arising from actions taken in accordance with environmental health or other legislation and to arrange for the recovery of costs.
- 3.7. To request or respond to requests for mutual aid assistance for performance of any environmental health function.
- 3.8. To appoint or authorise any registered veterinary surgeon or veterinary practitioner to carry out duties in connection with any food or animal related legislation or licence which it is the Council's remit to enforce.
- 3.9. To make or authorise applications to the Magistrates Court for warrants authorising entry to premises or land.

- 3.10. To authorise the institution of legal proceedings in accordance with legislation falling within environmental health, public health, pest control and licensing duties and responsibilities and for the purpose of securing possession of land occupied by travellers.
- 3.11. To authorise any suitably qualified or experienced person to act or to execute powers under any current Environmental Health, Public Health, sunbeds/radiological protection, Food Safety, European Community, Environmental Protection, Health and Safety, Infectious Disease, Pollution Control, Community Protection, Animal Welfare, Health Protection, hackney carriage, private hire, Licensing, Gambling and Housing legislation enforced or administered by the Council and to sign such authorisations.
- 3.12. To authorise surveillance in connection with the gathering of evidence for environmental health or licensing offences.
- 3.13. To take or authorise the taking of samples of air, land, water, food or other substances or materials and cause them to be tested or examined.
- 3.14. To issue Simple Cautions for offences for which Public Health and Protection has enforcement responsibility (including licensing, hackney carriage and private hire).
- 3.15. To authorise applications for anti- social behaviour orders in connection with legislation falling within the remit of environmental health and licensing.
- 3.16. To appoint or authorise a General Medical Practitioner or other suitable person(s) to act on behalf of the Council or to advise the Council on matters relating to the removal to suitable premises of persons in need of care and attention.
- 3.17. To be a Member of the Council's Resilience team.
- 3.18. To negotiate, agree or modify primary authority agreements having first discussed the matter with the Corporate Director (Public Protection, Planning and Governance) and relevant portfolio Holder.
- 3.19. Upon application and in conjunction with the Risk and Resilience Manager and the Risk and Resilience Officer (unless they have made that decision) to review any decision in relation to stopping, imposing conditions or imposing restrictions on an event within the Borough on the grounds of health or safety.
- 3.20. **In pursuance of the Council's duties in respect of pollution control:-**

To take action if it appears that waste has been deposited in or on any land in contravention of section 33(1) Environmental Protection Act 1990 and that in order to remove or prevent pollution of land, water or air or harm to human health it is necessary that the waste be forthwith removed or other steps taken to eliminate or reduce the consequences of the deposit or both and to take steps to recover the costs incurred by the Authority in doing so.

 - a) To serve or authorise the service of notices:

- i. Requiring the abatement of statutory nuisance and prohibiting or restricting the occurrence or recurrence of statutory nuisance.
 - ii. In respect of the control of noise on building sites.
 - iii. Requiring further information for the purpose of determining applications for authorisation of prescribed processes.
 - iv. Requiring persons to furnish information concerning processes capable of causing pollution of the environment.
 - v. Requiring information concerning furnaces and fuel consumed.
 - vi. Requiring information concerning the emission of pollutants and other substances into the air from premises.
 - vii. To remediate contaminated land.
 - viii. To determine contaminated land.
 - ix. To designate air quality management areas.
- b) To negotiate the handover of special sites to the environment agency.
 - c) To determine conditions for the grant, variation, revocation or refusal of authorisations and permits to carry on prescribed processes.
 - d) To serve or authorise the service of enforcement notices and prohibition notices for prescribed processes.
 - e) To approve or reject applications for prior approval of furnace installations.
 - f) To approve or reject applications for approval of chimney heights.
 - g) To approve or reject applications for exemptions from the requirement to fit plant for arresting grit and dust.
 - h) To determine applications for prior consent in respect of measures to minimise noise on construction sites.
 - i) To register or to refuse the registration of intruder alarms. To designate or withdraw alarm notification areas.
 - j) To issue or authorise the issue of fixed penalty notices for failure to notify key holder details and to arrange for the collection of receipts from such fixed penalty notices.
 - k) To issue or authorise the issue of fixed penalty notices for noise from licensed premises or domestic premises and to arrange for the collection of the fixed penalty receipts from such notices.
 - l) Authorised person for the purposes of s108 and 109 of the Environment Act 1995
 - m) To pursue legal action against occupiers of premises for dark smoke emitted from chimney stacks and dark smoke emitted from industrial or trade premises.
 - n) For the purpose of determining whether any provision of the pollution control enactments in the case of that authority is being, or has been, complied with; of exercising or performing one or more of the pollution control functions of that authority; or of determining whether and, if so, how such a function should be exercised or performed any or all of the powers below:

- i. to enter at any reasonable time (or, in an emergency, at any time and, if need be, by force) any premises which he has reason to believe it is necessary for him to enter;
 - ii. on entering any premises by virtue of paragraph (a) above, to take with him
 - any other person duly authorised by the enforcing authority and, if the authorised person has reasonable cause to apprehend any serious obstruction in the execution of his duty, a constable; and
 - any equipment or materials required for any purpose for which the power of entry is being exercised;
 - iii. to make such examination and investigation as may in any circumstances be necessary;
 - iv. as regards any premises which he has power to enter, to direct that those premises or any part of them, or anything in them, shall be left undisturbed (whether generally or in particular respects) for so long as is reasonably necessary for the purpose of any examination or investigation under paragraph (iii) above;
- o) to take such measurements and photographs and make such recordings as he considers necessary for the purpose of any examination or investigation under paragraph (iii) above;
 - p) to take samples, or cause samples to be taken, of any articles or substances found in or on any premises which he has power to enter, and of the air, water or land in, on, or in the vicinity of, the premises;
 - q) in the case of any article or substance found in or on any premises which he has power to enter, being an article or substance which appears to him to have caused or to be likely to cause pollution of the environment or harm to human health, to cause it to be dismantled or subjected to any process or test (but not so as to damage or destroy it, unless that is necessary);
 - r) in the case of any such article or substance as is mentioned in paragraph (q) above, to take possession of it and detain it for so long as is necessary for all or any of the following purposes, namely
 - i. to examine it, or cause it to be examined, and to do, or cause to be done, to it anything which he has power to do under that paragraph;
 - ii. to ensure that it is not tampered with before examination of it is completed;
 - iii. to ensure that it is available for use as evidence in any proceedings for an offence under the pollution control enactments in the case of the enforcing authority under whose authorisation he acts or in any other proceedings relating to a variation notice, enforcement notice or prohibition notice under those enactments;
 - s) to require any person whom he has reasonable cause to believe to be able to give any information relevant to any examination or investigation under paragraph (iii) above to answer (in the absence of persons other than a person nominated by that person to be present and any persons whom the authorised person may allow to be present) such questions as

the authorised person thinks fit to ask and to sign a declaration of the truth of his answers;

- t) to require the production of, or where the information is recorded in computerised form, the furnishing of extracts from, any records
 - i. which are required to be kept under the pollution control enactments for the enforcing authority under whose authorisation he acts, or
 - ii. which it is necessary for him to see for the purposes of an examination or investigation under paragraph (iii) above, and to inspect and take copies of, or of any entry in, the records;
- u) to require any person to afford him such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as are necessary to enable the authorised person to exercise any of the powers conferred on him by this section;
- v) any other power for:-
 - i. a purpose falling within any paragraph of subsection (i) above, or
 - ii. any such purpose as is mentioned in subsection (ii) above, which is conferred by Regulations made by the Secretary of State.

in the case of any article or substance found by him on any premises which he has power to enter, and having reasonable cause to believe that, in the circumstances in which it is found the article or substance is a cause of imminent danger of serious pollution of the environment or serious harm to human health, seize it and cause it to be rendered harmless (whether by destruction or otherwise).

- w) To appoint suitable persons as authorised persons under Section 108 of the Environment Act 1995.
- x) To issue or authorise the issue of community protection notices.
- y) To be an Authorised person for the purpose of part 4 chapter 1 and sections 47, 52 and 53 of the Anti-social Behaviour, Crime and Policing Act 2014.
- z) To authorise or designate persons for the purpose of part 4 chapter 1 and sections 47 and 53 of the Anti-social Behaviour, Crime and Policing Act 2014.
- aa) To issue or authorise the issue of a written warning prior to issuing a community protection notice.
- bb) To take or authorise the taking of remedial action where a person has failed to comply with a community protection notice.
- cc) To serve or authorise the service of a notice to a person who has failed to comply with a community protection notice and notices setting out works and costs.
- dd) To authorise the institution of proceedings for failure to comply with a community protection notice.
- ee) To issue or authorise the issue of a fixed penalty notice to anyone believed to have committed an offence under section 48 of the Anti-social Behaviour, Crime and Policing Act 2014.

- ff) To issue or authorise a closure notice under section 76 of the Anti-social Behaviour, Crime and Policing Act 2014 to cancel or vary such notices and to make or authorise the making of an application to a court for a closure order.
- gg) To serve written warnings for failure to comply with a Section 46 requirement where that failure has caused or was likely to cause a nuisance and to require the payment of appropriate fixed penalty sums.

3.21. In pursuance of the Council's duties in respect of food protection:-

- a) To serve notices in respect of food appearing to fail to comply with food safety requirements or appearing likely to cause food poisoning or disease.
- b) To take necessary steps to deal with food which appears to be unsafe.
- c) To serve improvement notices in respect of food premises.
- d) To serve hygiene improvement notices.
- e) To serve emergency prohibition notices and to make application for emergency prohibition orders in respect of food premises.
- f) To serve hygiene emergency prohibition notices and to make application for hygiene emergency prohibition orders in respect of food premises.
- g) To issue certificates ceasing the effect of emergency prohibition notices, emergency prohibition orders, hygiene prohibition notices and hygiene prohibition orders.
- h) To register food premises.
- i) To approve food establishments under product specific legislation and to modify or withdraw approvals.
- j) To detain consignments of food not of animal origin and offer options for rejection, re-export, destruction or alternative use for unsound or unwholesome goods including those which fail to satisfy the food safety requirements.
- k) To enforce Local Authority controls inland for animal products.
- l) To inspect, seize, detain and dispose of meat suspected of containing specified risk material.
- m) To serve remedial action notices.
- n) To serve detention notices.
- o) To certify food as unsafe where a premises within which it is found fails to meet any of the food hygiene requirements.
- p) To approve establishments to remove Specified Risk Material (Bovine Vertebral Column) in animals 24 to 30 months old in butchers shops.
- q) To issue or sign food export certificates.
- r) To sign national food hygiene rating scheme certificates.
- s) To apply to a Court for a hygiene prohibition order.

3.22. In pursuance of the Council's duties and functions except in its capacity as an employer in respect of health and safety at work:-

- a) To serve improvement notices.
- b) To serve prohibition notices.
- c) To grant exemptions to welfare provisions in offices and shops.
- d) To agree the transfer or assignment of enforcement responsibility for health and safety enforcement of premises to and from the Health and Safety Executive.
- e) To appoint suitably qualified persons as Inspectors.
- f) To authorise persons to accompany Inspectors.
- g) To exercise all or any of the powers of Inspectors.
- h) To deal with the causes of imminent danger.
- i) To disclose health and safety information.
- j) To institute proceedings.
- k) To prosecute.
- l) To exercise powers in connection with the control of pesticides.
- m) To accept the handover of an incident scene from the Police.
- n) To enter into flexible warranting arrangements with the Health and Safety Executive.

3.23. In pursuance of the Council's duties in respect of public health:-

- a) To serve or authorise the service of notices:-
 - i. For the cleansing and disinfecting of premises and the disinfecting or destruction of articles.
 - ii. In respect of filthy or verminous premises.
 - iii. In respect of insufficient, blocked, defective or leaking drains, sewers, cesspools and septic tanks.
 - iv. Requiring the provision of satisfactory drainage to buildings.
 - v. Requiring the provision of closets and sanitary conveniences.
 - vi. Requiring the putting into a satisfactory condition of defective closets.
 - vii. In respect of improving a private water supply and requiring the provision of water supply to a premises.
 - viii. For the carrying out of works to remedy unwholesome or insufficient water supplies.
 - ix. For the removal of accumulations of rubbish and noxious matter.
 - x. Requiring the provision of dustbins.
 - xi. Requiring steps to be taken to destroy rats and mice or otherwise keep land free from rats and mice.
 - xii. To give notice of intention to carry out block treatments for rodents.
 - xiii. To issue or authorise the issue of litter clearing notices on the owner or occupiers of land and to authorise work in default, prosecution or receipt of a fixed penalty payment for default of such a notice.

- xiv. The disinfestations of verminous articles offered for sale.
 - xv. In conjunction and consultation with an officer from the County Council Social Services to direct that a person in need of care is removed to a hospital or institution.
 - xvi. To control communicable, infectious disease, parasites and pests.
- b) To authorise applications for orders to close or restrict the use of polluted water supplies.
 - c) To arrange for the unblocking and cleansing of drains and private sewers where alternative courses of action are likely to result in a higher cost to the Council.
 - d) To make arrangements for the disposal of dead bodies where no other suitable arrangements are being made.
 - e) To issue licences in respect of moveable dwellings.
 - f) To set fees for pest control treatments.
 - g) To authorise applications for orders for the removal, detention and cleansing of verminous persons.
 - h) To make arrangements to secure the removal to suitable premises of persons in need of care and attention.
 - i) To represent the Environmental Health interests of the Council at any Science and Technical Advice Cell (STAC), Joint Health Advisory Cell (JHAC), Health Advisory Team, Outbreak Control Team, Command Team or Incident Management Team.
 - j) To respond to a consultation from the statutory water undertaker regarding their proposal to obtain a short-term authorised departure from the relevant prescribed concentration or value or other recognised standard.
 - k) To issue or authorise the issue of notices to persons who smoke in a smoke-free place.
 - l) To issue or authorise the issue of notices for remedying the failure to display no smoking signs in a smoke-free premise, place or vehicle.
 - m) Serve notice requiring a parent to keep a child away from school.
 - n) Serve notice upon a head teacher (or their deputy) requiring them to provide details of the names, addresses and contact numbers for all the pupils or a group of pupils.
 - o) Disinfect or decontaminate or cause to be disinfected or decontaminated a thing when requested to do so by the owner of a thing.
 - p) Disinfect or decontaminate or cause to be disinfected or decontaminated a thing upon request of a person with custody or control of that thing.
 - q) Disinfect or decontaminate or cause to be disinfected or decontaminated a premises on request of the owner.
 - r) Disinfect or decontaminate or cause to be disinfected or decontaminated a premises on request of a tenant.

- s) Refuse to disinfect or decontaminate or cause to be disinfected or decontaminated a thing or premises.
 - t) Serve notice on any person or group of persons to request that the person or group of persons do, or refrain from doing, anything for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination which presents or could present significant harm to human health.
 - u) Serve notice prohibiting contact with dead bodies.
 - v) Serve notice to restrict access to dead bodies.
 - w) Relocate or cause to be relocated a dead body to a place where it is considered the risk of the dead body infecting or contaminating people is reduced or removed.
 - x) Apply to a justice of the peace for an order under part 2A of the Public Health (Control of Disease) Act 1984 as amended.
 - y) Enter a premises at all reasonable hours, other than any part of a premises used as a private dwelling, in order to find out if a part 2A order has been breached or find out if action should be taken in relation to an order or take action in relation to an order or generally for the performance of local authority functions in relation to an order.
 - z) To take or authorise the taking of works for the purpose of preventing entry where a building is not secured against unauthorised entry or where land is likely to become a danger to public health.
- aa) To deal with any rubbish which is in the open air and which is seriously detrimental to the amenities of the neighbourhood, including service of notice, issue of fixed penalty notice, collection of fixed penalty receipts, authorisation of work in default and prosecution.
 - bb) To require the removal of material from a demolished building.
 - cc) To appoint authorised officers in connection with the regulation of sunbeds.
 - dd) To make such purchases and secure the provision of such services as considered necessary for the purpose of the proper exercise of functions under the Sunbeds (Regulation) Act 2010.
 - ee) To enter any premises (other than domestic premises) where there is reason to believe that a sunbed business is being carried on.
 - ff) To carry out on any premises (other than domestic premises) where there is reason to believe that a sunbed business is being carried on such inspections as the officer considers necessary for the purpose of the proper exercise of the officer's functions under the Sunbeds (Regulation) Act 2010.
 - gg) Where considered necessary for that purpose, to require the production of any book, document or record (in whatever form it is held) and inspect it, and take copies of or extracts from it (in connection with the regulation of sunbeds).

- hh) To take possession of any book, document or record which is on the premises (in whatever form it is held) and retain it for as long as the officer considers necessary for that purpose; (in connection with the regulation of sunbeds).
- ii) To require any person to give such information, or afford such facilities and assistance, as the officer considers necessary for that purpose (in connection with the regulation of sunbeds).
- jj) To remove or cause to be removed from any land in the open air any rubbish (including rubble, waste, paper, crockery and metal) which is seriously detrimental to the amenity of the neighbourhood.
- kk) to serve a notice under section 9 of the Health Act 2006 relating to smoke free England controls.
- ll) To deal with unoccupied buildings which are not effectively secured or are likely to be a danger to public health, including the service of notice or undertaking immediate works to prevent a danger to public health.
- mm) To determine if a failure to comply with a requirement imposed upon a householder in relation to receptacles for household waste has caused or is or was likely to cause a nuisance or has been or is or was likely to be detrimental to any amenities of the locality.
- nn) To detain a horse which is in any public place within the area of the authority where there are reasonable grounds for believing that the horse is there without lawful authority and if the land is lawfully occupied by a person, there are reasonable grounds for believing that person would give their consent to the detention of the horse.
- oo) To give notice to the officer in charge of a police station and (where the owner of a horse is known) extending the period for which a horse may be detained.
- pp) To take ownership of a horse on behalf of the Council at the expiration of the detention period and in conjunction with the relevant portfolio holder to dispose of it by selling it, arranging for it to be destroyed or in any other way; the Council retaining liability for any damage caused to the horse by failure to treat it with reasonable care and supply it with adequate food and water whilst so detained.
- qq) To be an authorised person for the purposes of section 23 and 25 of the Psychoactive substances Act 2016.
- rr) In connection with psychoactive substances to give a prohibition notice to a person where it is reasonably believed that the person is carrying on or is likely to carry on a prohibited activity and there is reasonable belief that it is necessary and proportionate to give a prohibition notice for the purpose of preventing the person from carrying on any prohibited activity.
- ss) In connection with psychoactive substances to give a premises notice to a person who owns, leases, occupies, controls or operates a premises where it is reasonably believed that a prohibited activity is being or likely to be carried on at that particular premises and that it is reasonably believed it is necessary and proportionate to give the premise notice for

the purpose of preventing and prohibited activity from being carried on at any premises owned, leased, occupied, controlled or operated by that person.

- tt) In connection with psychoactive substances to apply to a Court for a prohibition order.
- uu) In connection with psychoactive substances to apply to a Court for a premises order.
- vv) In connection with psychoactive substances to apply to a Court for the reimbursement of costs incurred for the purposes of clearing, securing or maintaining a premises in respect of which a prohibition is in effect.

3.24. In respect of public health partnership working, health and wellbeing and health improvements:-

- a) To facilitate the Council's partnership working with the National Health Service and other organisations, co-ordinate the Council's response to NHS Public Health England and other initiatives and support the promotion of the Council's role in health improvement by focusing attention on the prevention of ill health in respect of public health partnership working, health and wellbeing and health improvement.
- b) In connection with flood risk management, having first consulted with the Environment Agency and Lead Local Flood Authority to authorise the carrying out of flood risk management work to ordinary watercourses if it is considered the work is desirable having regard to the local flood risk management strategy for the area and the purpose of the work is to manage a flood risk in the authority's area from an ordinary watercourse including a lake, pond or other area of water which flows into an ordinary watercourse.

3.25. In pursuance of the Council's duties in respect of local licensing:-

- a) To grant, renew, vary or transfer licences for the use of premises for the sale by retail of alcohol, the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club, the provision of regulated entertainment, and the provision of late night refreshment where no representations have been made.
- b) To issue, renew, vary, refuse suspend or revoke licences in respect of selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding of dogs, keeping or training animals for exhibition, animal boarding establishments, pet shops and dog breeders.
- c) To grant, renew, refuse, revoke or vary licences for the keeping of dangerous wild animals.
- d) To grant, renew, vary, revoke or refuse licences or consents for street trading.
- e) To register or refuse to register persons and premises for acupuncture, tattooing, semi permanent skin colouring, cosmetic piercing, ear piercing and electrolysis.
- f) To grant, renew, refuse or revoke gaming machine permits.

- g) To set fees for licences, registrations and consents.
- h) To determine and amend conditions for licences registrations and consents.
- i) To authorise the service of notices for the provision, cleaning and availability of sanitary accommodation at entertainments, exhibitions or sporting events, at places used for the sale of food and drink and at betting offices.
- j) To deal with the approval or refusal of applications for licences/permits in relation to house-to-house and street collections.
- k) To grant a personal licence for selling alcohol if no representation has been made.
- l) To approve a provisional statement if no representation has been made.
- m) Except if a representation has been made by the Police, to approve a variation to a designated personal licence holder.
- n) To remove a person as a designated premises supervisor, upon their request.
- o) To approve applications for interim authorities if no Police representation has been made.
- p) To decide if a request for a licence review is irrelevant, frivolous, repetitious or vexatious.
- q) To object to a licence application when the Authority is a consultee and not the lead authority.
- r) To deal with the approval or refusal of applications for registration of societies and the issue or refusal of permits for amusements with prizes at commercial entertainments for the purposes of the Gambling Act.
- s) To respond to Temporary Event Notices.
- t) To approve new applications for the use of up to five amusement with prizes machines and to approve applications for transfers and renewals of existing amusement with prizes machines.
- u) With the approval of the relevant Executive Member to set fees under the Gambling Act 2005.
- v) To approve applications to grant, vary transfer licence to enable gambling, where no representations have been received or where representations have been withdrawn.
- w) To approve an application for a provisional statement under the Gambling Act 2005 where no representations have been received or where representations have been withdrawn.
- x) To approve an application for club gaming or club machine permits where no representations have been received or where representations have been withdrawn.
- y) To approve applications for permits under the Gambling Act 2005.
- z) To issue a cancellation of licensed premise gaming machine permits.

- aa) To consider and respond to a temporary use notice in connection with the Gambling Act 2005.
- bb) To designate persons as an “authorised person” for the purpose of part 15 of the Gambling Act 2005.
- cc) To be an inspector for the purposes of section 51 of the Animal Welfare Act 2006.
- dd) To inspect premises to check compliance with the conditions of a licence or registration relating to animal welfare or regulations which implement a community obligation.
- ee) In connection with the welfare of animals, to serve improvement notices in relation to an animal’s needs.
- ff) To take, or arrange to be taken, appropriate immediate steps to alleviate a protected animal’s suffering.
- gg) To enter premises for the purposes of searching for a protected animal and for the purpose of exercising any powers under section 10, 18, 19, 25, 26, 27, 28, 29 and 30 of the Animal Welfare Act 2006.
- hh) Enforcement powers under “The Animal Welfare (licensing of Activities Involving Animals) (England) Regulations 2018.
- ii) To require the production of records kept pursuant to an animal welfare licence.
- jj) To carry out an inspection to check compliance with regulations concerning animals bred or for farming.
- kk) To stop, detain and search a vehicle for the purpose of searching for a protected animal where accompanied by a constable in uniform.
- ll) To suspend premises licences and club premises certificates for non-payment of annual fees.
- mm) To issue licences in relation to scrap metal.
- nn) To agree minor variations.
- oo) To approve applications of all types under the Scrap Metal Dealers Act 2013 under delegated authority in the case of applications which are uncontested and/or where enquiries with relevant consultees do not reveal any relevant offences or other cause for concern and to use all local authority enforcement powers provided by the Act and to further delegate these powers to other suitable Council Officers.
- pp) To determine if the Council should exercise its powers as a responsible authority for the purposes of the Licensing Act 2003; and if appropriate to exercise those powers and to put in place arrangements to ensure that there is adequate separation of functions when carrying out those powers.
- qq) To apply to a residential property tribunal when a fee for a caravan site licence has become overdue for an order requiring the licence holder to pay the amount due by a specified date.
- rr) To apply to a tribunal for an order revoking a caravan site licence.

- ss) To determine fees for caravan site licences.
- tt) To issue compliance notices in circumstances where an occupier is failing or has failed to comply with a condition attached to a caravan site licence.
- uu) To revoke a compliance notice.
- vv) To vary a compliance notice by extending the period within which steps must be taken.
- ww) To exercise initiative to determine whether a compliance notice should be revoked or varied.
- xx) To apply to a court for an order revoking a caravan site licence.
- yy) To apply to a court to make an order specifying the date on which the revocation of a caravan site licence takes effect.
- zz) To serve a demand which sets out the expenses which are sought to be recovered from an occupier of land in connection with a compliance notice.
- aaa) To take steps required by a compliance notice and to take such further action as considered appropriate for ensuring condition(s) specified in the compliance notice are complied with.
- bbb) To serve notice setting out the mandatory matters needed to give notice that the local authority will be taking steps required by a compliance notice or such further action as considered appropriate for ensuring condition(s) specified in the compliance notice are complied with.
- ccc) To authorise persons other than an officer of the local authority to take action on behalf of the authority to take steps required by a compliance notice and to take such further action as considered appropriate for ensuring condition(s) specified in the compliance notice are complied with.
- ddd) To exercise powers to take emergency action in connection with licensed caravan sites.
- eee) To serve notice setting out the mandatory matters prior to taking emergency action.
- fff) To apply for a warrant to enter caravan sites.
- ggg) To authorise persons other than an officer of the local authority to take emergency action on behalf of the authority in connection with licensed caravan sites.
- hhh) To serve notice within the period of 7 days beginning with the date when the emergency action is to start which sets out the mandatory matters relating to the nature of the imminent risk of serious harm, the nature of the emergency action and other prescribed matters.
- iii) To impose a charge on the recipient of emergency action to recover the costs incurred in taking emergency action by service of a demand for expenses.
- jjj) To grant, transfer and vary licences for caravan sites.

kkk) To alter conditions on site licences for caravan sites.

lll) To determine applications for the grant, renewal, transfer or variation of licences unless established policy states or the Corporate Director (Public Protection, Planning and Governance) or the Head of Public Health and Protection consider it is more appropriate for the determination to be made by Members.

mmm) To give notice to the Secretary of State that an applicant for a personal licence has relevant immigration or foreign offences or has refused to pay an immigration penalty.

nnn) To consider an immigration Objections Notice and its appropriateness to the prevention of illegal working in licensed premises and having consulted with the relevant Portfolio Holder, to reject the licence application if it is considered to do so, having regard to the notice.

3.26. **Infectious Disease**

In accordance with the environmental health legislation falling within the duties and responsibilities of the Council and in accordance with Council Policy and Responsibility for Functions:-

The Proper Officer for the Council in respect of matters relating to the control and spread of infectious disease and contamination shall be any physician working as a consultant in public health medicine or communicable disease control and employed by Public Health England including those providing on call cover for this team from other geographical areas and the Director of Public Health and any consultant in public health nominated by him who are authorised and empowered to:-

- a) Execute all powers in relation to the notification and control of infectious disease.
- b) Issue Pasteurisation Orders.
- c) Sign notices requiring the cleansing of a filthy or verminous person.
- d) To keep a child with infectious disease or contamination off school.
- e) To formally request co-operation to protect public health.
- f) To undertake or arrange for the disinfection/decontamination of premises or articles.
- g) To limit contact with the body of a person who has died from infectious disease or contamination.

4. **EMERGENCY PLANNING AND RISK MANAGEMENT**

All the following delegated powers relating to Emergency Planning and Risk Management can also be exercised by the Head of Public Protection and Risk and Resilience Manager who may also delegate to a suitably qualified, empowered and experienced Officer

- 4.1. To be a member of the Council Resilience Team and take all necessary and appropriate action in response to a civil emergency or business continuity incidents, in accordance with the Council's Emergency Plan or Business Continuity Plans.
- 4.2. To be responsible for the functions and duties of the Council in accordance with the Civil Contingencies Act 2004, including:
 - a) The duty to co-operate with other organisations engaged in response within the local resilience area
 - b) The duty to share information with other responders
 - c) The duty to carry out risk assessments and co-operate with other agencies in this
 - d) Maintaining emergency plans
 - e) Maintaining business continuity plans
 - f) The duty to warn and inform the public
 - g) Advice and assistance to businesses and the voluntary sector in respect of business continuity management
- 4.3. To provide corporate support in respect of resilience including the training of employees and testing, validation and exercising of plans.
- 4.4. To ensure representation of the Council's interests within meetings of the Local Resilience Forum or groups/sub-groups thereof.
- 4.5. To advise the Council as duty holder under the Health and Safety at Work Act 1974 and subordinate legislation and guidance.
- 4.6. To maintain an adequate and effective process for risk management.
- 4.7. To enter at all reasonable times onto any Council premises or land to carry out any safety related investigation, inspection, assessment or review, requesting such records and explanation as may be necessary for these purposes, and to authorise other Officers in this regard.
- 4.8. To require the immediate suspension of any activity where it is believed in good faith that a breach of health and safety law and regulation has occurred or is likely to occur, or where it is believed that there is imminent danger to the health, safety and wellbeing of any persons and to authorise other Officers in this regard.
- 4.9. To attend and represent or authorise another Officer to attend and represent the interests of, and make decisions on behalf of, Welwyn Hatfield Borough Council at any of the below which may be set up either in response to any incident or in order to plan for any identified threat or hazard:
 - a) Command Team
 - b) Incident Management Team
 - c) Multi-agency meeting

These duties may include (but are not limited to) the following:

- Activate the Welwyn Hatfield Borough Council Emergency Plan
- Initiate and approve the deployment of Council employees, contractors and partner organisations in support of the response
- Designate a rest/reception centre and deploy staff
- Request appropriate support from Hertfordshire County Council, including (but not limited to) voluntary sector, social care services and passenger transport services
- Receive requests for support required from Welwyn Hatfield Borough Council
- Recommend that the Chief Executive requests mutual aid from other local authorities
- Receive all relevant communications and documentation related to the incident.
- Attending or facilitating post incident debriefing.

4.10. To ensure a plan is prepared and updated in connection with the Prevent agenda.

4.11. Ensure that training and data gathering are carried out in respect of Prevent

5. HACKNEY CARRIAGES

The following delegated powers in 5.1 to 5.3 relating to hackney carriage and private hire licences and legislation can also be exercised by the Head of Public Health and Protection and Hackney Carriage Officer who may also delegate to a suitably qualified or experienced Officer.

5.1 To grant, renew or refuse hackney carriage/private hire vehicle, driver or operator licences unless the Corporate Director (Public Protection, Planning and Governance) or Head of Public Health and Protection considers it more prudent and or appropriate for the application to be dealt with by the Hackney Carriage Committee.

5.2 To carry out investigations into alleged contraventions of hackney carriage and private hire legislation, policy, conditions or byelaws and to take appropriate action including the suspension or revocation of any hackney carriage or private hire licence granted by the Council or to prosecute/institute proceedings for offences. Where the Corporate Director (Public Protection, Planning and Governance) or Head of Public Health and Protection considers that it is not prudent and/or appropriate to exercise this delegated power the alleged contravention shall be referred to the Hackney Carriage Committee for determination.

5.3 Having first informed the Executive Member, has the power to serve notice to suspend or revoke any licence in the interest of public safety and must report such action to the first meeting of the relevant Committee following the taking of such action.

- 5.4 To grant, renew or refuse hackney carriage/private hire vehicle, driver or operator licences unless the Corporate Director (Public Protection, Planning and Governance) or Head of Public Health and Protection considers it more prudent and or appropriate for the application to be dealt with by the Hackney Carriage Committee
- 5.5 In respect of hackney carriage/private hire vehicle, driver or operator licences subject to immigration control, to specify a period with the licence that it will remain in force in accordance with the leave period.

6. Planning

All of the following delegated powers relating to planning can also be exercised by the Head of Planning, who may also delegate to other suitable qualified and/or experienced officers in accordance with an agreed Scheme of Delegation:

- 6.1. To approve and refuse all types of applications submitted under the Town and Country Planning Act 1990 and other planning and relevant legislation.
- 6.2. To determine the appropriate fee for planning and other applications.
- 6.3. To decide whether to register an application based on the information submitted by the applicant and the Council's validation checklist.
- 6.4. To decline to determine an application under Section 70A, 70B or 70C of the Town and Country Planning Act 1990.
- 6.5. To agree minor and non-material amendments to previously approved applications.
- 6.6. To deal with prior notifications and prior approvals under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 6.7. To apply conditions to secure controls over development and deal with the discharge of planning conditions under Section 70(1)(a), 72 and 73 of the Town and Country Planning Act 1990.
- 6.8. To enter into, vary, revoke and discharge obligations to secure financial contributions and/or works for the benefit of the community under Section 106 of the Town and Country Planning Act 1990.
- 6.9. To agree the Council's response to a screening opinion under Parts 2 and 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 6.10. To agree the Council's response to a scoping opinion under Part 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or Section 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

- 6.11. To grant permission-in-principle for sites on the Part 2 Brownfield Register under the Town and Country Planning (Brownfield Land Register) Regulations 2017 and Part 2 of the Town and Country Planning (Permission in Principle) Order 2017.
- 6.12. To respond to consultations concerning policy formulation proposals by government departments, statutory bodies, local authorities, etc, in consultation with the relevant Executive Member, unless it is prudent that the consultation should be considered by members of the relevant committee.
- 6.13. To respond to consultations concerning development proposals by statutory bodies, local authorities, government departments, the Crown, etc, in consultation with the relevant Executive Member, unless it is prudent that the consultation should be considered by members of the relevant committee.
- 6.14. To approve the designation of a Neighbourhood Planning Area where it matches the local town or parish council boundary under Regulation 5 of the Neighbourhood Planning (General) Regulations 2012. [Cabinet must approve the designation of Neighbourhood Planning Area which does not match the town or parish council boundary].
- 6.15. To decide whether the Council's case at a planning appeal should be by way of written representations, informal hearing or public inquiry and to agree the nature and extent of the case to be presented.
- 6.16. To enter any land for the purpose of surveying it in connection with the functions of the Council as the local planning authority under Section 324 of the Town and Country Planning Act 1990.
- 6.17. To decide whether to take enforcement action and what level of enforcement action to take in accordance with the Council's Corporate Enforcement Plan and Planning Enforcement Plan.
- 6.18. To serve notices to obtain information as to interests in land under Section 330 of the Town and Country Planning Act 1990 and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
- 6.19. To serve Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990.
- 6.20. To serve, vary and withdraw enforcement notices against suspected breaches of planning control under Section 172 of the Town and Country Planning Act 1990 and to execute and secure the costs of works required by such notices under Section 178 of the Town and Country Planning Act 1990.
- 6.21. To serve, vary and withdraw listed building enforcement notices against suspected breaches of planning control under Section 38 of the Planning (Listed Building and Conservation Areas) Act 1990 and to execute and secure the costs of works required by such notices under Section 42 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.22. To serve, vary and withdraw Breach of Condition Notices under Section 187A of the Town & Country Planning Act 1990.

- 6.23. To serve Building Preservation Notices under Section 3 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.24. To serve Stop Notices under Section 183 of the Town and Country Planning Act 1990 and Temporary Stop Notices under Section 171E of the Town and Country Planning Act 1990.
- 6.25. To serve Tree Replacement Notices under Section 207 of the Town and Country Planning Act 1990 and to execute and secure the costs of works required by such notices under Section 209 of the Town and Country Planning Act 1990.
- 6.26. To serve Repairs Notices under Section 48 of the Planning (Listed Building and Conservation Areas) Act 1990 and Urgent Works Notices under Section 54 of the Planning (Listed Building and Conservation Areas) Act 1990 and to execute and secure the costs of works required by such notices under Section 55 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.27. To require the discontinuance of advertisements under Section 220 of the Town and Country Planning Act 1990 and to remove or obliterate unauthorised placards, posters and advertisements under Section 225 of the Town and Country Planning Act 1990.
- 6.28. To serve, vary and withdraw notices to require the proper maintenance of land under Section 215 of the Town and Country Planning Act and to execute and secure costs of works required by such notices under Section 219 of the Town and Country Planning Act.
- 6.29. To issue advance written warnings and Community Protection Notices on individuals or bodies whose conduct is having a detrimental effect on the quality of life of those in the locality and is unreasonable and to take action where there is a failure to comply with a Notice under Part 4 Chapter 1 of the Anti-Social Behaviour, Crime and Policing Act 2014.
- 6.30. To apply for Planning Enforcement Orders for deliberately concealed unauthorised development under Section 171BA, 171BB and 171BC of the Town and Country Planning Act 1990.
- 6.31. To apply for court injunctions to restrain any apprehended or actual breach of planning control under Section 187B of the Town and Country Planning Act 1990.
- 6.32. To progress prosecution action where enforcement notices have not been complied with under Section 179 of the Town and Country Planning Act 1990.
- 6.33. To serve a Certificate of Appropriate Alternative Development where land is proposed to be acquired by the local authority under Section 65 of the Planning and Compensation Act 1991.

- 6.34. To make, vary and revoke Tree Preservation Orders under Section 198 of the Town and Country Planning Act 1990 and Provisional Tree Preservation Orders under Section 201 of the Town & Country Planning Act 1990.
- 6.35. To make minor amendments to planning conditions and Section 106 legal agreements prior to issuing a decision notice, where the decision has been made by Development Management Committee, but it is not necessary for the item to return to Development Management Committee.
- 6.36. To refer to the Development Management Committee applications to revoke or modify hazardous substances consents as defined under the Planning (Hazardous Substances) Act 1990 for referral to the appropriate Secretary of State.
- 6.37. Applications will be presented to Development Management Committee where:
- a) The application does not accord with the provisions of the development plan or other planning policy guidance or supplementary planning guidance (unless material considerations indicate that the provisions of the development plan no longer apply) but the proposal is recommended for approval.
 - b) One of the following has occurred within the specified consultation period and (a) it has been accepted by the Head of Planning or Development Management Service Manager and (b) the subsequent officer recommendation goes against the comment of support/objection:
 - A comment of support or objection and an associated call-in request has been made by a member of the Borough Council
 - A major objection has been received from a local town or parish council
 - A major objection has been received from an adjoining local authority
 - An objection has been received from a consultee listed in Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015
 - c) The application is a major development and the Borough Council is the applicant and/or has an interest in the land/property which is the subject of the application.
 - d) A Member of the Borough Council, the Chief Executive, a Corporate Director, a Head of Service or a member of staff in the planning service is the applicant and/or has an interest in the land/property which is the subject of the application.
 - e) The Head of Planning considers it prudent for the application to be considered by Development Management Committee.
- 6.38. **Building Control**
- a) It should be noted that statutory building control functions have been transferred to Three Rivers District Council and non-statutory building

control functions have been passed to Hertfordshire Building Control Ltd, to administer on behalf of Welwyn Hatfield Borough Council, in accordance with a Services Agreement and Inter-Authority Agreement.

- b) These bodies now administer building control functions on behalf of Welwyn Hatfield Borough Council in accordance with the Building Act 1984 and Building Regulations 2010.

Other Functions

- 6.39. To make technical amendments to the Planning Scheme of Delegation to reflect changes to the planning system and planning legislation.
- 6.40. To administer the Management Scheme for Welwyn Garden City created under the Leasehold Reform Act 1967 for the purpose of “maintaining and enhancing amenities and values in Welwyn Garden City and with due regard to the convenience and welfare of persons residing, working and carrying on business there.” This includes deciding whether to register an application, determining the appropriate fee, approving and refusing applications, discharging conditions, resolving breaches and taking enforcement action against breaches.
- 6.41. Any EMS applications where a Member of the Borough Council, the Chief Executive, a Corporate Director, a Head of Service or a member of staff in the planning service is the applicant and/or has an interest in the land/property which is the subject of the application will be determined by a panel of officers.
- 6.42. To manage trees and woodlands as set out in the Council’s Trees and Woodlands Strategy.
- 6.43. To manage woodlands and open spaces as set out in the Council’s Woodland and Open Space Management Plans.
- 6.44. To manage allotments as set out in the Council’s Allotment Policy.
- 6.45. To take action in relation to horses on woodland and open space owned and managed by the Council in accordance with Section 7 of the Control of Horses Act 2015.
- 6.46. To deal with notices in respect of temporary markets under Section 37 of the Local Government (Miscellaneous Provisions) Act 1982.
- 6.47. To take action under the provisions of Section 23 and Section 24 of the Local Government (Miscellaneous Provisions) Act 1976 (power to deal with dangerous trees) in appropriate cases.
- 6.48. To grant licences, issue notices and authorise the removal and reinstatement for the planting of trees, shrubs, etc in highways under the Highways Act 1980.
- 6.49. To apply for an enforcement order against unlawful works on registered common land under Section 41 of the Commons Act 2006.

- 6.50. To protect unclaimed registered common land and unclaimed town or village greens against unlawful interference under Section 45(2)(a) of the Commons Act 2006.
- 6.51. To institute proceedings for offences in respect of unclaimed land under Section 45(2)(b) of the Commons Act 2006.
- 6.52. To determine the Council's response to high hedge applications under Part 8 of the Anti-Social Behaviour Act 2003, to authorise powers of entry for the purposes of high hedge complaints and appeals under Section 74 of the Anti-Social Behaviour Act 2003 and to serve High Hedges Remedial Notices and authorise prosecutions under Section 77 of the Anti-Social Behaviour Act 2003.
- 6.53. To take action against dangerous trees under Section 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.
- 6.54. To grant licences, issue notices and authorise the removal and reinstatement for the planting of trees, shrubs, etc in highways under the Highways Act 1980.
- 6.55. To serve notices in respect of street naming and numbering under Section 64 and Section 65 of the Town Improvement Clauses Act 1847.
- 6.56. To apply for enforcement orders against unlawful works on registered common land under Section 41 of the Commons Act 2006, to protect unclaimed registered common land and unclaimed town/village greens against unlawful interference under Section 45(2)(a) of the Commons Act 2006 and to institute proceedings for offences in respect of unclaimed land under Section 45(2)(b) of the Commons Act 2006.