

## Directorate: Operations

### Executive Director

- Assistant Director Operations

- Head of Commercial
  - Cleaning & Catering
  - Lettings & Public Halls
  - Markets
- Head of Engineering Services
  - Asset Management
  - Bridges and Structures
  - Major Projects design and delivery
  - Network Management
  - Parking
  - Public Rights of Way
  - Street Works
  - Road safety
  - Transportation
- Head of Streetscene
  - Grounds Maintenance – Parks & Countryside Infrastructure
  - Pest Control
  - Highway Maintenance
  - Street Lighting
  - Winter Maintenance
  - Depot
- Head of Waste Management & Transport
  - Stores
  - Street Cleansing

- Transport & Workshop
- Waste Management & Recycling

- Head of Wellness

- Bereavement Services
- Libraries
- Parks and Countryside Strategy
- Sports and Leisure

- Assistant Director Operations Strategy

- Head of FM

- Architectural Practice
- Facilities Management
- Energy Management

- Head of Public Protection

- Climate Change
- Environment
- Environmental Health
- Licensing – including Safety at Sports Grounds
- Private Rented Sector Enforcement
- Trading Standards

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**The scheme of delegation is to be read in conjunction with relevant sections of the Constitution including:**

**Part 3 – Functions Scheme**

**Part 4 – Section 6 – Contract Procedure Rules**

**Part 4 – Section 7 – Financial Procedure Rules**

## COMMERCIAL SERVICES

### Markets

	What the function/power is <sup>1</sup>	Who may carry it out <sup>2</sup>	Any constraints/comments <sup>3</sup>	Decision (E/C/O <sup>4</sup> )
1.	<ul style="list-style-type: none"> <li>– Exercise the council’s powers under section 50 of the Food Act 1984 and the Bury Market Charter 1444 to establish and operate street markets in the county.</li> <li>– Setting up or the relocating of any market.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>	<ul style="list-style-type: none"> <li>– The Bury Market Charter and the Food Act 1984 enables the council to operate markets in the town of Bury, namely the livestock market, the general markets held on Murray Road.</li> <li>– All other markets held in the market towns of Radcliffe and Ramsbottom also enabled.</li> <li>– Both of the above state that market shall not be established in pursuance of this act so as to interfere with any rights, powers or privileges enjoyed within the district in respect of a market by any person, without that person’s consent and in consultation with traders.</li> </ul>	
2.	<ul style="list-style-type: none"> <li>– Operation and regulation of markets under the section 50 of the Food Act 1984 and the Bury Market Charter 1444.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>		

<sup>1</sup> Say what the activity is that is being delegated and the source of the power e.g. decision to instigate care proceedings under s 31 of the Children’s Act 1989

<sup>2</sup> Say all the posts to which the activity has been delegated; please refer only to post names and not post holders unless there is a personal delegation

<sup>3</sup> Include any specific conditions or constraints which apply to the delegation e.g. requirement to first consult with xxx

<sup>4</sup> Identify decision type as follows: E = executive function; C = Council function (includes most planning and regulatory activity); O = operational

3.	– The collection of charges made in relation to any market.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> <li>• Bury Market Manager</li> </ul>		
4.	– To negotiate and agree terms regarding the acquisition (including compulsory purchase) and disposal of property assets and legal interests. – Sign Notices to Quit/Terminate Lease.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> <li>• Bury Market Manager</li> </ul>	In liaison with Legal Services	O
5.	– To negotiate and agree terms for the grant of leases, licences, tenancies, agreement for lease, development agreements and legal consents.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>	In liaison with Legal Services	O
6.	– To instruct Legal Services to serve legal notices. – Sign Notices to Quit/Terminate Lease.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>	In liaison with Legal Services	O
7.	– To grant a wayleave easement or deed of access over Council owned land to a third party.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>	In liaison with Legal Services	O

## STREETSCENE

### Highways, Street Lighting & Grounds Maintenance

1.	To act on behalf of the council in respect of the legislation specified in the foregoing: – Highways Act 1980 – National Parks and Access to the Countryside Act 1948	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Streetscene</li> </ul>	Duty to maintain the Highway as Highway Authority	O
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	<ul style="list-style-type: none"> <li>– New Roads and Street Works Act 1991</li> <li>Wildlife and Countryside Act 1981</li> </ul>	All officers within Streetscene		
2.	<p>To act on behalf of the council in respect of the legislation specified in:</p> <ul style="list-style-type: none"> <li>– The Local Authorities’ Cemeteries Order 1977 – The Council is defined as a burial authority for the provision and maintenance of cemeteries.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Streetscene</li> <li>• Grounds Maintenance Manager</li> <li>Area Supervisor</li> </ul>	The council may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery. Where burials take place the order regulates the process including regulation of memorials.	

### Pest Control

1.	<ul style="list-style-type: none"> <li>- Dogs (Fouling of Land) Act 1996</li> <li>– Prevention of Damage by Pests Act 1949</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Streetscene</li> <li>• Pest Control Operations Manager</li> <li>• Pest Control Officers</li> </ul>		
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### ENGINEERING SERVICES

#### Highways and Transport

1.	<p>To act on behalf of the council in respect of the legislation specified in the foregoing:</p> <ul style="list-style-type: none"> <li>– Traffic Management Act 2004</li> <li>– Road Traffic Act 1988</li> <li>– Cycle Tracks Act 1984</li> <li>– Highways Act 1980</li> <li>– National Parks and Access to the Countryside Act 1948</li> <li>– New Roads and Street Works Act 1991</li> <li>– Road Traffic Regulation Act 1984</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• Designated Traffic Manager</li> <li>• All officers within Engineering Services</li> </ul>	<ul style="list-style-type: none"> <li>– The Traffic Manager may, in making arrangements to ensure that the authority has: <ul style="list-style-type: none"> <li>a) determined specific policies or objectives in relation to different roads or classes of road in their road network;</li> <li>b) monitored the effectiveness of – <ul style="list-style-type: none"> <li>(i) the authority's organisation</li> </ul> </li> </ul> </li> </ul>	O
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	<ul style="list-style-type: none"> <li>– Town and Country Planning Act 1990</li> <li>– Town Police Clauses Act 1847</li> <li>– Traffic Calming Act 1992</li> <li>– Wildlife and Countryside Act 1981</li> </ul>		<p>and decision-making processes; and (ii) the implementation of their decisions; and</p> <p>c) assessed their performance in managing their road network.</p> <p>– Delivery of actions under these functions shall be carried out where appropriate by the council's Public Realm provider in accordance with the contract in place for the service.</p>	
2.	– To enter into agreements pursuant to Section 38 and Section 278 of the Highways Act 1980, issue permissions under Section 184 and display notices under Section 228, including the Power to determine the terms and conditions of the above	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• All officers within Engineering Services</li> </ul>		O
3.	– To manage the council's functions in relation to flooding and drainage in compliance with current legislation and policies of the council (including without limitation the Land Drainage Act 1991, Flood Risk Regulations 2009 and the Flood and Water Management Act 2010).	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• Lead Local Flood Officer</li> <li>• All officers within Engineering Services &amp; Streetscene</li> </ul>	– Delivery of actions under these functions shall be carried out where appropriate by the council's Public Realm provider in accordance with the contract in place for the service.	O

### Parking

1.	– Road Traffic Regulation Act 1984 – gives the power to local authorities to make traffic regulation orders which prohibit or restrict the use of a road; and which provide parking places on the highway, and in off-street car parks and set out the term on which such parking places may be used. Permission is also granted to park in contravention by way of a dispensation permit.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> </ul>		O
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		<ul style="list-style-type: none"> <li>• All officers with Parking Services Team</li> </ul>		
2.	– Civil Enforcement of Parking Contraventions (England) General Regulations – provides for the issue of a Charge Certificate in order to recover debt from unpaid Parking Penalty Charge Notices.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers with Parking Services Team</li> </ul>	This document is served in accordance with Regulation 21.	O
3.	– Civil Enforcement of Parking Contraventions (England) General Regulations – provides for the enforcement of a Charge Certificate if unpaid, by the issue of an Order for Recovery from a County Court.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul>	This is enforced in accordance with Regulation 22.	O
4.	– Taking Control of Good Regulations 2013 (as amended) – provides for the execution of a County Court Order to instruct Enforcement Agents to recovery unpaid Parking Penalty Charge Notice debt.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul>	Bury Council contracts an approved and certified Bailiff company in order to recover debt, including taking control of any goods in accordance with the regulations.	O
5.	– Road Traffic Regulation Act 1984 and associated Off-street Car Park Orders – provides for charges and restrictions to apply at off street car parks. Permission to be granted to use car park for another purpose, hire or to waive the parking fee payable for an event or other use.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul>		O

6.	– Road Traffic Regulation Act 1984 and associated Traffic Regulation Orders – provides for charges to apply at on street parking locations. Permission to be granted to use parking spaces for another purpose, hire or to waive the parking fee payable for an event or other use.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul>		O
7.	– The Traffic Management Act 2004 (Part 6) – provides for contraventions of the terms of a traffic regulation order relating to parking places on the highway and off-street, which were made offences in the RTRA (1984), to be subject to civil enforcement.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> <li>• The Council’s nominated enforcement contractor</li> </ul>	<p>– These functions/powers are exercised in accordance with the council’s single enforcement policy.</p> <p>– The parking offences which we enforce are by way of a PCN and are decriminalised (Civil Parking Enforcement).</p> <p>– NSL employees carry out first stage challenges to penalty charge notices under the management of the council.</p>	O

### Street Trading

1.	– Section 115E of the Highways Act 1980 – Control of pavement cafes with Highways Amenity Licences	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• All officers within Engineering Services &amp; Streetscene</li> </ul>	– New applications suspended until 30 September 2021 and replaced with the Business & Planning Act 2020.	
2.	– Section 3 of the Business and Planning Act 2020 – Pavement Licences	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> </ul>	– Licences are issued to permit tables and chairs to be placed on the highway in relation to consumption of food and drink	



		<ul style="list-style-type: none"> <li>• All officers within Engineering Services &amp; Streetscene</li> </ul>	<p>(both alcoholic and non-alcoholic).</p> <ul style="list-style-type: none"> <li>– Applications for premises without alcohol are dealt with by the Licensing Officer (Street Trading).</li> <li>– Applications for premises with alcohol are dealt with by the Principal Licensing Officer.</li> <li>– Appeals are dealt with by the Licensing Subcommittee.</li> </ul>	
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## WASTE MANAGEMENT & TRANSPORT

### Waste and Recycling

1.	<ul style="list-style-type: none"> <li>– Environmental Protection Act 1990 Section 45</li> <li>– Environmental Protection Act 1990 Section 46</li> <li>– The Controlled Waste (England and Wales) Regulations 2012</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Waste Management</li> <li>• All Officers within Waste Management</li> </ul>	<ul style="list-style-type: none"> <li>– Places a duty on the Council to arrange for the collection of household waste in Bury.</li> <li>– Permits the Council to specify the type of receptacle to be used by the householder for the disposal of their waste.</li> <li>– The Council can require separate receptacles to be used for waste which is to be recycled and waste that is not.</li> <li>– The Council may also specify the size, construction, and maintenance of the receptacles.</li> <li>– The Council may determine the position that Householders place their waste collection receptacles for emptying by the Council and steps to be taken by Householders</li> </ul>	
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			<p>to facilitate the collection of waste from the receptacles.</p> <ul style="list-style-type: none"> <li>– A Householder who fails without reasonable excuse to comply with the Council’s requirements under this legislation shall be liable on summary conviction to a fine; and <ul style="list-style-type: none"> <li>○ The Council can make a charge to Householders for the provision of waste receptacles.</li> <li>○ Definition of waste to be treated as household, industrial and commercial waste.</li> </ul> </li> <li>– Household waste for which collection and disposal charges may be made.</li> </ul>	
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**Transport**

1.	<ul style="list-style-type: none"> <li>– Road Traffic Act 1988</li> <li>– Road vehicle construction and use Regulation Working time Directive 2003</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Waste Management &amp; Transport Services</li> <li>• Transport Manager</li> </ul>	<ul style="list-style-type: none"> <li>– An act of Parliament of the United Kingdom, concerning vehicles, insurance, and road regulation.</li> <li>– European Union law Directive and a key part of European labour law.</li> </ul>	
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**Street Cleansing**

1.	<ul style="list-style-type: none"> <li>– The Environmental Protection Act 1990 Section 89</li> <li>– Litter and refuse: code of practice</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Waste Management</li> <li>• All Officers within Street Cleansing</li> </ul>	<ul style="list-style-type: none"> <li>– Imposes duties on certain landowners and occupiers to keep specified land clear of litter and refuse, and on local authorities and the Secretary of State to keep</li> </ul>	
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			clean public highways for which they are responsible. – Standards of graffiti and fly posting.	
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## WELLNESS

### Bereavement Services

1.	– To act on behalf of the council in respect of the legislation specified in The Local Authorities' Cemeteries Order 1977 – The Council is defined as a burial authority for the provision and maintenance of cemeteries.	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Parks &amp; Countryside Manager</li> <li>• Cemetery Registrar</li> <li>• Area Supervisor</li> </ul>	– The council may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery. Where burials take place the order regulates the process including regulation of memorials.	
2.	– To act on behalf of the council in respect of the legislation specified in The Cremation (England and Wales) Regulations 2008 (amendment 2016).	<ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Parks &amp; Countryside Manager</li> </ul>	– The Cremation (England and Wales) Regulations 2008 ('the 2008 Regulations') make provision about the operation of crematorium in England and Wales, including in relation to the disposal of ashes, and the keeping of records relating to cremations.	

### Libraries

1.	– To meet the requirements of the Public Libraries and Museums Act 1964; in doing so the Council should consider a number of legal obligations, including the Equality Act 2010, Best Value Duty 2011 guidance, Localism Act 2011, the Human Rights Act 1998 (I have taken this from the front page of <a href="https://www.gov.uk/government/publications/guidance-on-libraries-as-a-statutory-service/libraries-as-a-statutory-service">https://www.gov.uk/government/publications/guidance-on-libraries-as-a-statutory-service/libraries-as-a-statutory-service</a> )	<ul style="list-style-type: none"> <li>• All officers of the Libraries &amp; Archives team, Head of Wellness Operations</li> </ul>		
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## REGULATORY, ENVIRONMENT AND WASTE SERVICES

### Public Protection Service

1.	<p>To act on behalf of the council in respect of the legislation specified in the foregoing:</p> <ul style="list-style-type: none"> <li>– Activity Centres (Young Persons Safety) Act 1995</li> <li>– Administration of Justice Act 1970 (Section 40) &amp; 1985</li> <li>– African Swine Fever (England) Order 2003</li> <li>– Agricultural Produce (Grading and Marking) Amendment Act 1931</li> <li>– Agriculture (Miscellaneous Provisions) Act 1968</li> <li>– Agriculture Act 1970</li> <li>– Agriculture Produce (Grading &amp; Marking) Acts 1928 &amp; 1931</li> <li>– Animal Gatherings (England) Order 2010</li> <li>– Animal Health (Divisional Veterinary Managers) Order 2009</li> <li>– Animal Health Act 1981 &amp; 2002</li> <li>– Animal Health and Welfare Act 1984</li> <li>– Animal Welfare Act 2006</li> <li>– Animal Welfare (Licensing of Activities involving Animals)(England) Regulations 2018</li> <li>– Animals (Miscellaneous Provisions) Order 1927 as amended &amp; 1938</li> <li>– Animals (Post-Import Control) Order 1995</li> <li>– Anthrax Order 1991 as amended</li> <li>– Anti-Social Behaviour Act 2003</li> <li>– Anti-Social Behaviour, Crime and Policing Act 2014</li> <li>– Aujeszky’s Disease Order 1983</li> <li>– Avian Influenza &amp; Influenza of Avian Origin in Mammals (England) (No.2) Order 2006</li> <li>– Avian Influenza (H5N1 in Poultry) (England) Order 2006</li> <li>– Avian Influenza (H5N1 in Wild Birds) (England) Order 2006</li> <li>– Avian Influenza (H5N1) (Miscellaneous Amendments) Order 2007</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations Strategy)</li> <li>• Head of Public Protection</li> <li>• Chief Inspector of Weights &amp; Measures</li> <li>• Licensing Unit Manager</li> <li>• Unit Managers</li> <li>• Environmental Health Officers</li> <li>• Graduate Environmental Health Officers</li> <li>• Public Protection Officers</li> <li>• HMO and Enforcement Officers</li> <li>• Principal Technical Officer</li> <li>• Senior Technical Officers</li> <li>• Principal Trading Standards Officers</li> <li>• Principal Community Protection Officer</li> <li>• Trading Standards Officers</li> <li>• Trading Standards Practitioners</li> <li>• Senior Enforcement Officers</li> <li>• Enforcement Officers</li> <li>• Fly Tipping Enforcement Officers</li> </ul>	<ul style="list-style-type: none"> <li>– To act as necessary in accordance with the officers’ legislative authorisation to ensure compliance with the adjacent listed legislation and, in particular to exercise any statutory powers vested in the council but not exclusively of entry, inspection, to break open any container, examination, investigation, taking of measurements and photographs, taking of samples, seizure and detention of goods articles and documents, requiring the production of books and documents requiring the provision of information, giving of notices and requiring other facilities and assistance necessary to enable the council to perform its statutory powers and duties in relation to the enforcement of legislation.</li> <li>– Also, all officers are authorised to administer a caution when investigating any possible criminal offences and to appear in any proceedings before a Court.</li> <li>– All officers can also issue verbal warnings, penalty warning notices,</li> </ul>	C
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<ul style="list-style-type: none"> <li>– Avian Influenza and Newcastle Disease (Biosecurity Guidance and Disease Control) (Slaughter) Protocol (England &amp; Wales) Order 2003</li> <li>– Avian Influenza and Newcastle Disease (Contingency Planning) (England) Order 2003</li> <li>– Avian Influenza and Newcastle Disease (England &amp; Wales) Order 2003</li> <li>– Bluetongue (No. 2) Order 2007 (Revoked except for Article 17) Bluetongue Order 2003 (Revoked except for Article 18)</li> <li>– Brucellosis (England) Order 2000 as amended</li> <li>– Building Act 1984</li> <li>– Business and Planning Act 2020</li> <li>– Cancer Act 1939</li> <li>– Caravan Sites and Control of Development Act 1960</li> <li>– Cattle Plague Order 1928 as amended</li> <li>– Charities Act 1992</li> <li>– Children and Young Persons (Protection from Tobacco) Act 1991</li> <li>– Children and Young Persons Act 1933 (Section 7)</li> <li>– Children and Young Persons Act 1963 (Section 37)</li> <li>– Cigarette Lighter Refill (Safety) Regulations 1999</li> <li>– Civic Amenities Act 1967</li> <li>– Classical Swine Fever (England) Order 2003</li> <li>– Clean Air Act 1993</li> <li>– Clean Neighbourhoods and Environment Act 2005</li> <li>– Companies Act 1985 &amp; 2006</li> <li>– Company Directors Disqualification Act 1986</li> <li>– Consumer Credit Act 1974 &amp; 2006</li> <li>– Consumer Protection Act 1987</li> <li>– Consumers, Estate Agents and Redress Act 2007</li> <li>– Control of Pesticides Regulations 1986</li> <li>– Control of Pollution (Amendment) Act 1989</li> <li>– Control of Pollution Act 1974</li> <li>– Control of Salmonella in Broiler Flocks Order 2009</li> <li>– Control of Salmonella in Poultry Order 2007</li> <li>– Control of Salmonella in Turkey Flocks Order 2009</li> </ul>	<ul style="list-style-type: none"> <li>• Apprentice Enforcement Officers</li> <li>• Senior Animal Health &amp; Welfare Officer</li> <li>• Animal Health &amp; Welfare Officers</li> <li>• Licensing Officers</li> <li>• Licensing Advisors</li> <li>•</li> </ul>	<p>fixed penalty notices, infringement advice notices and officer written warnings.</p> <ul style="list-style-type: none"> <li>– Animal Health and Welfare Officers can serve statutory enforcement notices, orders, and community protection notices.</li> <li>– The Assistant Director (Operations Strategy), Head of Public Protection, Unit Managers, Principal Trading Standards Officers, Principal Environment Health Officers, Licensing Officers and the Enforcement Officers can: <ul style="list-style-type: none"> <li>i) issue formal written warnings;</li> <li>ii) authorise entry search warrants; and</li> <li>iii) sign any licence/registration documents or tenancy/pitch agreement on behalf of the council.</li> </ul> </li> <li>– The Assistant Director (Operations Strategy) and the Deputy Solicitor for the council can authorise any RIPA application on behalf of the council for any regulatory legislation, as listed in the left hand column.</li> <li>– The Assistant Director (Operations Strategy) can act as the informant on behalf of the council, with the exception of weights and measures legislation where only the Head of Public</li> </ul>	
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<ul style="list-style-type: none"> <li>– Copyright, Designs and Patents Act 1988</li> <li>– Copyright, etc and Trade Marks (Offences and Enforcement) Act 2002</li> <li>– Coronavirus Act 2020</li> <li>– Criminal Attempts Act 1981</li> <li>– Criminal Justice and Police Act 2001</li> <li>– Criminal Justice and Public Order Act 1994</li> <li>– Criminal Law Act 1977</li> <li>– Dangerous Dogs Act 1991</li> <li>– Dangerous Wild Animals Act 1976</li> <li>– Deer Act 1991</li> <li>– Deregulation and Contracting Out Act 1994</li> <li>– Development of Tourism Act 1969 (Section 18)</li> <li>– Disease Control (England) Order 2003 as amended</li> <li>– Diseases of Animals (Approved Disinfectants) (England) Order 2007</li> <li>– Diseases of Poultry (England) Order 2003</li> <li>– Dogs (Fouling of Land) Act 1996</li> <li>– Dogs Act 1906 (Section 3)</li> <li>– Education Reform Act 1988</li> <li>– Energy Act 1976 (Section 18)</li> <li>– Energy Act 2013</li> <li>– Energy Conservation Act 1981 (Section 20)</li> <li>– Enterprise Act 2002</li> <li>– Environment Act 1995</li> <li>– Environment and Safety Information Act 1988</li> <li>– Environmental Protection (Non-Refillable Refrigerant Containers) Regs 1994</li> <li>– Environmental Protection Act 1990</li> <li>– Enzootic Bovine Leukosis (England) Order 2000</li> <li>– Equine Infectious Anaemia (Compensation) (England) Order 2006</li> <li>– Equine Viral Arteritis Order 1995</li> <li>– Estate Agents Act 1979</li> <li>– European Communities Act 1972 (EC Tab)</li> <li>– Explosives Act 1875</li> <li>– Export of Horses (Excepted Cases) Order 1969</li> </ul>		<p>Protection/Chief Inspector of Weights &amp; Measures can act as the informant.</p> <ul style="list-style-type: none"> <li>– The Head of Public Protection/Licensing Unit Manager can also suspend or revoke any hackney carriage or private hire drivers licence with immediate effect under the Road Safety Act 2006.</li> </ul>	
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<ul style="list-style-type: none"><li>– Export of Horses (Protection) Order 1969</li><li>– Export of Horses (Veterinary Examination) Order 1966</li><li>– Export of Horses and Ponies (Increase in Minimum Values) Order 1978</li><li>– Export Quarantine Stations (Regulation) Order 1973</li><li>– Factories Act 1961</li><li>– Fair Trading Act 1973</li><li>– Farm and Garden Chemicals Act 1967</li><li>– Feed (Hygiene and Enforcement) (England) Regulations 2005</li><li>– Fire Safety and Safety of Places of Sport Act 1987</li><li>– Fireworks Act 2003</li><li>– Food Act 1984</li><li>– Food and Environment Protection Act 1985 (FEPA Tab)</li><li>– Food Safety Act 1990 (as amended)</li><li>– Food Safety and Hygiene (England) Regulations 2013</li><li>– Foot and Mouth Disease (England) Order 2006</li><li>– Foot and Mouth Disease (Packing Materials) Order 1925 as amended</li><li>– Forgery and Counterfeiting Act 1981 (Part I)</li><li>– Fraud Act 2006</li><li>– Game Act 1831</li><li>– Game Licences Act 1860</li><li>– Gambling Act 2015</li><li>– Hallmarking Act 1973</li><li>– Hares (Control of Importation) Order 1965</li><li>– Health Act 2006</li><li>– Health and Safety at Work etc. Act 1974 (HSWA Tab)</li><li>– Housing Act 1985 (EHH Tab)</li><li>– Housing Act 2004 (EHH Tab)</li><li>– Housing and Planning Act 2016 (EHH Tab)</li><li>– Housing Grants, Construction and Regeneration Act 1996 (EHH Tab)</li><li>– Hypnotism Act 1952</li><li>– Importation of Animal Products and Poultry Products Order 1980 as amended</li></ul>			
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- Importation of Animals Order 1977 as amended (Articles 4(1), 5(6), 5(7), 6 & 15 Do Not Apply to England and Scotland)
- Importation of Animals Pathogens Order 1980
- Importation of Birds, Poultry and Hatching Eggs Order 1979
- Importation of Embryos, Ova and Semen Order 1980 as amended
- Importation of Hay and Straw Order 1979
- Importation of Processed Animal Protein Order 1981 as amended
- Importation of Salmonoid Viscera Order 1986
- Individual Ascertainment of Value (England) Order 2005
- Infectious Diseases of Horses Order 1987
- Intoxicating Substances (Supply) Act 1985
- Knives Act 1997
- Land Drainage Act 1991
- Late Night Refreshment Houses Act 1969
- Legislative Reform (Local Government) (Animal Health Functions) Order 2009
- Licensing Act 2003
- Litter Act 1983
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government (Miscellaneous Provisions) Act 1982
- Local Government Act 1972
- Local Government and Housing Act 1989
- Lotteries and Amusements Act 1976
- Manufacture and Storage of Explosives Regulations 2005
- Medicines Act 1968
- Mobile Homes Act 1983
- Motor Cycle Noise Act 1987
- Motor Vehicles (Safety Equipment for Children) Act 1991
- Movement of Animals (Records) Order 1960 as amended
- Movement of Animals (Restrictions) (England) Order 2002 as amended
- National Assistance (Amendment) Act 1951
- National Assistance Act 1948
- National Lottery Act 1993



<ul style="list-style-type: none"><li>– Noise Act 1996</li><li>– Noise and Statutory Nuisance Act 1993</li><li>– Offensive Weapons Act 1996</li><li>– Office Shops and Railway Premises Act 1963</li><li>– Olympic Symbol etc. (Protection) Act 1995</li><li>– Open Spaces Act 1906</li><li>– Pesticides (Fees and Enforcement) Act 1989</li><li>– Petroleum (Consolidation) Act 1928</li><li>– Petroleum (Transfer of Licences) Act 1936</li><li>– Petroleum Consolidation Act 1928</li><li>– Pigs (Records, Identification and Movement) Order 2007</li><li>– Pleuro-Pneumonia (Amendment) Order of 1938 (5666)</li><li>– Pleuro-Pneumonia Order 1928 (4605)</li><li>– Poisons Act 1972</li><li>– Pollution Prevention Control Act 1999</li><li>– Poultry (Seizure of Hatching Eggs) Order 1990</li><li>– Prevention of Damage by Pests Act 1949</li><li>– Prices Act 1974 &amp; 1975</li><li>– Private Places of Entertainment (Licensing) Act 1967</li><li>– Proceeds of Crime Act 2002</li><li>– Property Misdemeanors Act 1991</li><li>– Protection From Eviction Act 1977</li><li>– Protection of Animals Act 1911</li><li>– Protection of Children (Tobacco) Act 1986</li><li>– Psittacosis or Ornithosis Order 1953</li><li>– Public Entertainments Licences (Drug Misuse) Act 1997</li><li>– The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020</li><li>– The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020</li><li>– The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020</li></ul>			
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<ul style="list-style-type: none"><li>– The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) (Amendment) Regulations 2020</li><li>– The Health Protection (Coronavirus, Restrictions) (Self Isolation) (England) Regulations 2020</li><li>– The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020</li><li>– The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020</li><li>– The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020</li><li>– The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020</li><li>– The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020</li><li>– The Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020</li><li>– Public Health (Control of Diseases) Act 1984</li><li>– Public Health Act 1875</li><li>– Public Health Act 1936</li><li>– Public Health Act 1961</li><li>– Public Health Acts Amendment Act 1907</li><li>– Rabies (Control) Order 1974</li><li>– Rabies Importation of Dogs, Cats and Other Mammals) Order 1974 as amended</li><li>– Radioactive Substances Act 1960</li><li>– Rag, Flock and Other Filling Materials Act 1951</li><li>– Refuse Disposal (Amenity) Act 1978</li><li>– Regulation of Investigatory Powers Act 2000 (RIPA)</li><li>– Regulatory Reform (Fire Safety) Order 2005</li><li>– Riding Establishments Act 1970</li><li>– Road Traffic (Consequential Provisions) Act 1988</li><li>– Road Traffic (Foreign Vehicles) Act 1972</li><li>– Road Traffic Acts 1988 &amp; 1991</li><li>– Road Traffic Offenders Act 1988</li><li>– Road Traffic Regulation Act 1984</li></ul>			
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| <ul style="list-style-type: none"><li>– Safety of Sports Ground Act 1975</li><li>– Scotch Whisky Act 1988</li><li>– Scrap Metal Dealers Act 1964</li><li>– Sheep &amp; Goats (Records, Identification &amp; Movement) (England) Order 2009</li><li>– Sheep Scab Order 1997</li><li>– Shellfish and Specified Fish (Third Country Imports) Order 1992</li><li>– Solicitors Act 1974</li><li>– Specified Diseases (Notification &amp; Slaughter) Order 1992 (Revoked insofar as they apply to</li><li>– Bluetongue)</li><li>– Specified Diseases (Notification &amp; Slaughter) Order 2006</li><li>– Specified Diseases (Notification) Order 1996 (Revoked insofar as they apply to Bluetongue) Spring Traps Approval Order 1995 as amended</li><li>– Sunbeds (Regulation) Act 2010</li><li>– Sunday Trading Act 1994</li><li>– Telecommunications Act 1984</li><li>– The Children (Performances) Regulations 1968 (as amended)</li><li>– The Dogs (Fouling of Land) Act 1996</li><li>– The Health Protection (Local Authority Powers) Regulations 2010</li><li>– The Health Protection (Notification) Regulations 2010</li><li>– The Health Protection (Part 2A Orders) Regulations 2010</li><li>– The Hedgerow Regulations 1997</li><li>– The Private Water Supplies (England) Regulations 2016</li><li>– Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002</li><li>– The Smoke and Carbon Monoxide Alarm (England) Regulations 2015</li><li>– Theft (Amendment) Act 1996</li><li>– Theft Acts 1968 &amp; 1978</li><li>– Timeshare Act 1992</li><li>– Tobacco Advertising and Promotion Act 2002</li><li>– Tobacco Products Duty Act 1979</li><li>– Town and Country Planning Act 1990</li><li>– Town Police Clauses Act 1847</li><li>– Trade Descriptions Act 1968</li></ul> |  |  |  |
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<ul style="list-style-type: none"> <li>– Trade Marks Act 1994</li> <li>– Transport of Animals (Cleansing &amp; Disinfection) (England) (No.3) Order 2003 as amended</li> <li>– Tuberculosis (Deer) Order 1989 as amended</li> <li>– Tuberculosis (England) Order 2007</li> <li>– Unsolicited Goods and Services Acts 1971 &amp; 1975</li> <li>– Value Added Tax Act 1994</li> <li>– Vehicle (Crimes) Act 2001</li> <li>– Veterinary Surgery (Wing &amp; Web Tagging) Order 2009</li> <li>– Video Recordings Acts 1984 &amp; 1993 &amp; 2010</li> <li>– Warble Fly (Ascertainment of Infestation) (England &amp; Wales) Order 1985</li> <li>– Warble Fly (England &amp; Wales) (Infected Areas) Order 1985</li> <li>– Warble Fly (England &amp; Wales) Order 1982</li> <li>– Water Act 1989</li> <li>– Water Act 2003</li> <li>– Water Industry Act 1991</li> <li>– Weights and Measures Act 1985 (and all Regulations made under it)</li> <li>– Welfare of Animals (Transport) (England) Order 2006</li> <li>– Welfare of Animals at Markets Order 1990 as amended</li> <li>– Wildlife and Countryside Act 1982</li> <li>– Working Time Regulations 1998 (HSWA Tab)</li> <li>– Zoo Licensing Act 1981</li> <li>– Zoonoses Order 1988 &amp; 1989</li> <li>– EU Legislation: <ul style="list-style-type: none"> <li>– The Aerosol Dispensers (EEC Requirements) Regs 1977</li> <li>– The Animal and Animal Products (Examination for Residues and Maximum Limits) Regs 1997</li> <li>– The Animal By Products (Enforcement) (England) Regulations 2013</li> <li>– The Animal By-Products Regulations 2005* as amended</li> <li>– The Animal Health &amp; Welfare (Scotland) Act 2006 (Consequential Provisions) (England &amp; Wales) Order 2006*</li> <li>– The Animals (Divisional Veterinary Managers) Regulations 2009*</li> </ul> </li> </ul>			
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- The Animals and Animal Products (Import & Export) (England) Regulations 2006\* as amended
- The Avian Influenza (Fees for the Licensed Vaccination of Birds) (England) Regulations 2007\*
- The Avian Influenza (Preventative Measures) (England) Regs 2006
- The Avian Influenza (Vaccination) (England) Regulations 2006\*
- The Beef Labelling (Enforcement) (England) Regulations 2000
- The Biofuel (Labelling) Regulations 2004
- The Bluetongue Regs 2008
- The Boiler (Efficiency) Regs 1993
- The Bovines & Bovine Products (Despatch Prohibition & Production Restriction) Regs 1997
- The Bovines & Bovine Products (Trade) Regs 1999
- The BSE (Feeding Stuffs & Surveillance) Regs 1999
- The BSE Offspring Slaughter Regulations 1998
- The Business Protection from Misleading Marketing Regulations 2008
- The Cancellation of Contracts made in a Consumer's Home or Place of Work etc Regulations 2008
- The Cat and Dog Fur (Control of Import, Export and Placing on Market) Regs 2008
- The Cattle (Identification of Older Animals) Regs 2000
- The Cattle Database Regulations 1998
- The Cattle Identification Regulations 2007\* as amended
- The Common Agricultural Policy (Wine) (England and Northern Ireland) Regs 2001
- The Common Agricultural Policy (Wine) Regs 1996
- The Companies (Trading Disclosures) Regulations 2008
- The Construction Products Regs 1991
- The Consumer Protection (Distance Selling) Regulations 2000
- The Consumer Protection from Unfair Trading Practices Regulations 2008
- The Crystal Glass (Descriptions) Regs 1973
- The Docking of Working Dogs' Tails (England) Regulations 2007\*
- The Eco-design for Energy-Using Product Regulations 2007

- The Eggs & Chicks (England) Regulations 2009\*
- The Electromagnetic Compatibility Regs 1992
- The Electro-medical Equipment (EEC Requirements) Regs 1988
- The Electronic Commerce (EC Directive) Regulations 2002
- The Energy Efficiency (Refrigerators and Freezers) Regs 1997
- The Energy Information (Combined Washer-driers) Regs 1997
- The Energy Information (Dishwashers) Regs 1999
- The Energy Information (Household Air Conditioners) (no 2) Regs 2005
- The Energy Information (Household Electric Ovens) Regs 2003
- The Energy Information (Household Refrigerators and Freezers) Regulations 2004
- The Energy Information (Lamps) Regs 1999
- The Energy Information (Refrigerators and Freezers) Regs 1994
- The Energy Information (Tumble Driers) Regs 1996
- The Energy Information (Washing Machines) Regs 1996
- The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regs 2007
- The Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regs 1996
- The Feed (Hygiene and Enforcement) (England) Regs 2005 as amended
- The Feeding Stuffs (Enforcement) Regs 1999
- The Feeding Stuffs (England) Regs 2005 as amended
- The Feeding Stuffs (Establishment & Intermediaries) Regs 1999
- The Feeding Stuffs (Safety Requirements for Feed for Food Producing Animals) Regulations 2004
- The Feeding Stuffs (Sampling and Analysis) Regs 1999 as amended
- The Feeding Stuffs Regs 2000
- The Firework Regs 2004
- The Food (Suspension of the use of E128 Red 2G as a food colour) (England) Regs 2007 The Food Hygiene (England) Regulations 2006
- The Foot and Mouth
- ) Regulations 2006

- The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006
- The Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006
- The Measuring Instruments (Beltweighers) Regulations 2006
- The Measuring Instruments (Capacity Serving Measures) Regulations 2006
- The Measuring Instruments (Cold-water Meters) Regulations 2006
- The Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006
- The Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006
- The Measuring Instruments (Material Measures of Length) Regulations 2006
- The Measuring Instruments (Non-prescribed Instruments) Regulations 2006
- The Meat (Enhanced Enforcement Powers) (England) Regulations 2000
- The Mutilations (Permitted Procedures) (England) Regulations 2007\* as amended
- The Natural Mineral Water, Spring Water & Bottled Water Regs 1999
- The Non-Commercial Movement of Pet Animals (England) Regulations 2004\*
- The Non-Automatic Weighing Instruments Regs 2000
- The Official Controls (Animal Feed and Food) (England) Regs 2006
- The Official Feed and Food Controls (England) Regs 2009
- The Olive Oil (Marketing Standards) Regs 2003
- The Organic Products Regulations 2009\*
- The Package Travel, Package Holidays & Package Tours Regs 1992
- The Packaging (Essential Requirements) Regs 2003
- The Personal Protective Equipment (EC Directive) Regs 2002
- The Plastic Materials and Articles in Contact with Food (England) Regulations 2006 and 2009 as amended
- The Plastic Materials and Articles in Contact with Food Regs 1998
- The Poultry Meat (Water Content) Regs 1984
- The Products of Animal Origin (Disease Control) (England) Regulations 2008\* as amended
- The Products of Animal Origin (Import and Export) Regulations 1996\* as amended

<ul style="list-style-type: none"><li>– The Products of Animal Origin (Third Country Imports) (England) Regulations 2006</li><li>– The Quick-Frozen Food Stuffs (England) Regs 2007</li><li>– The Radio Equipment and Telecommunications Terminal Equipment (Amendment) Regulations 2000 as amended</li><li>– The REACH Enforcement Regs 2008</li><li>– The Registration of Establishments (Laying Hens) (England) Regulations 2003*</li><li>– The Rice Products (Restrictions on First Packaging on the Market) (England) Regs 2006</li><li>– The Salmonella in Turkey Flocks and Slaughter Pigs (Survey Powers) (England) Regulations 2006*</li><li>– The Sheep and Goats (Records, Identification &amp; Movement) (England) Order 2007</li><li>– The Simple Pressure Vessels (Safety) Regs 1991</li><li>– The Supply of Machinery (Safety) Regs 1992</li><li>– The Swine Vesicular Disease Regulations 2009*</li><li>– The Telecommunications Terminal Equipment Regs 1992</li><li>– The Textile Products (Indications of Fibre Content) Regs 1986</li><li>– The Trade in Animals and Related Products Regulations 2011</li><li>– The Transmissible Spongiform Encephalopathies (England) Regs 2008</li><li>– The TSE (England) Regulations 2002 (as amended)</li><li>– The Unfair Terms in Consumer Contracts Regulations 1999</li><li>– The Wine Regulations 2009</li><li>– The Working Time Regulations 1998</li><li>– Transmissible Spongiform Encephalopathies (England) (Amendment) Regulations 2008*</li><li>– Veterinary Medicines Regulations 2008* (Revoked Except Regulation 45(2))</li><li>– Veterinary Medicines Regulations 2009*</li><li>– Welfare of Animals (Miscellaneous Revocations) (England) Regulations 2007*</li><li>– Welfare of Farmed Animals (England) Regulations 2007*</li><li>– Zoonoses (Monitoring) (England) Regulations 2007*</li><li>– Zootechnical Standards Regulations 1992* as amended</li></ul>			
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	<p><b><u>In addition:</u></b> Trading Standards and Consumer Protection Legislation is regularly updated and circulated by TSNW.</p>			
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**Street Trading**

1.	<p>– Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – Enabling street trading to be regulated within the county and adopted by the council in 1998</p>	<ul style="list-style-type: none"> <li>• Assistant Director (Operations Strategy)</li> <li>• Head of Public Protection</li> <li>• Licensing Unit Manager</li> </ul>	<p>– Applications are assessed by the Licensing Service and undergo a consultation period, with various interested parties. Should the Licensing Unit Manager not wish to exercise their delegated powers, the matter will be referred to the Licensing &amp; Safety Committee for the decision.</p>	
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Operations Directorate scheme of delegation: updated **March 2023**.