

BOLSOVER AND NORTH EAST DERBYSHIRE DISTRICT COUNCIL

**RECORD OF DECISION TAKEN BY THE
JOINT HEAD OF SERVICE, ENVIRONMENTAL HEALTH**


REVISED ENVIRONMENTAL HEALTH DELEGATED POWERS

15th June 2020

Authority for decision	Decision	Reasons	Alternative options considered and rejected	Conflicts of interest and any dispensation
<p>Para 3, Scheme of Delegation for Officers</p> <p>9.1 To exercise within approved budgets all matters of day to day administration and operational management of the services and functions for which they are responsible.</p>	<p>To authorise the officers specified in the attached schedule to exercise the powers set out therein on behalf of the Joint Head of Service (Environmental Health) – insofar as those powers are consistent with the delegated powers reserved to the Joint Head of Service (Environmental Health) in Para 9 of the Scheme of Delegation. This authorisation is in respect of the functions exercised in both North East Derbyshire and Bolsover districts.</p>	<p>To allow officers to effectively carry out various functions, make decisions, serve notices etc. on behalf of the Joint Head of Service (Environmental Health).</p>	<p>To reserve all delegated powers to the Joint Head of Service (Environmental Health) only.</p> <p>This would require the Joint Head of Service (Environmental Health) to sign and approve service of all notices and take all decisions in each case dealt with by the service, which would be impractical.</p>	<p>None</p>

Please complete the following where relevant:

Key Decision?	Confidential/ Exempt (if yes, please state paragraph)?	Do General Exception or Special Urgency Rules apply to this decision?	Consultation has taken place with the Section 151 & Monitoring Officer?	The Leader, Deputy Leader or relevant Portfolio Member have been consulted?
No	No	No	Yes	Yes

Authorising Signature: 

Job title: Joint Head of Service (Environmental Health)
Bolsover & North East Derbyshire District Councils

Unique Reference Number: NEDDC DD/045/20/KE
BDC DD/039/20/KE

Date decision may be implemented following call in (if necessary): N/A

Circulation to:
Head of Paid Service
Monitoring Officer
Section 151 Officer
Scrutiny Officer
Internal Audit

SCHEDULE - ENVIRONMENTAL HEALTH DELEGATIONS 15th June 2020

The discharge of any executive function not otherwise reserved to the full Council, the Cabinet, a committee of the Cabinet, a member of the Cabinet, a joint committee discharging executive functions or another local authority, and any non-executive functions not otherwise reserved to the Licensing Committee, or any other person or body discharging nonexecutive functions in accordance with executive arrangements made by the Council, in respect of the legislation listed below (including any regulations made thereunder, future modifications, enlargements or amendments). The powers conferred include:

Legislation	Functions Delegated	Officers Requiring Delegated Powers
<ul style="list-style-type: none"> • Animal Boarding Establishments Act 1963 • Animal Welfare Act 2006 • Anti-social Behaviour, Crime and Policing Act 2014 • Breeding and Sale of Dogs (Welfare) Act 1999 • Breeding of Dogs Act 1973 and 1991 • Building Act 1984 • Caravan Sites and Control of Development Act 1960 • Clean Air Act 1993 • Clean Neighbourhoods and Environment Act 2005 • Contaminants in Food Regulations 2001 • Control of Pollution (Amendment) Act 1989 • Criminal Justice and Police Act 2001 • Criminal Justice and Public Order Act 1994 • Dangerous Dogs Act 1991 • Dangerous Wild Animals Act 1976 • Disability Discrimination Act 1995 (Taxis) (Carrying of Guide Dogs etc.) (England and Wales) Regulations 2000 • Dogs (Fouling of Land) Act 1996 • Dogs Act 1871 • Environment Act 1995 • Environmental Protection Act 1990 • European Communities Act 1972 • Food and Environment Protection Act 1985 	<p>Authorisation and carrying out legal proceedings including:</p> <ul style="list-style-type: none"> • Authorising legal actions • Applications to court to undertake Directed Surveillance, • Authorising overt CCTV Deployment • Applications for warranted entry to premises. • Issue of legal cautions, • Service of orders, including closure orders. <p>In the absence of the Joint Head of Service, to authorise officers and inspectors.</p>	<p>Environmental Health Manager</p>
	<ul style="list-style-type: none"> • Issue Licences and Permits • Authorising works in default and seizure of equipment or articles • Applications for warranted entry to premises. 	<p>Environmental Health Manager Team Leader/Senior Environmental Health Officer</p>

- Food Information Regulations 2014
- Food Safety Act 1990
- Gambling Act 2005
- Health Act 2006
- Health and Safety at Work etc. Act 1974
- House to House Collections Act 1939
- House to House Regulations 1947
- Housing Act 1985
- Housing Act 2004
- Hypnotism Act 1952
- Licensing Act 2003
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government (Miscellaneous Provisions) Act 1982
- Local Government Act 1972
- Local Government Act 2003
- Meat (Enhanced Enforcement Powers)(England) Regulations 2000
- Microchipping of Dogs (England) Regulations 2015
- Mobile Homes Act 2014
- Pet Animals Act 1951
- Police, Factories etc. (Miscellaneous Provisions) Act 1916
- Policing and Crime Act 2009
- Prevention of Damage by Pests Act 1949
- Private Water Supplies Regulations 2009
- Products of Animal Origin (Import and Export) Regulations 1996
- Products of Animal Origin (Third Country Imports) (England) (No.4) Regulations 2004
- Public Health (Control of Disease) Act 1984
- Public Health (Infectious Disease) Regulations 1988
- Public Health Amendment Act 1907
- Public Health Act 1936
- Public Health Act 1961
- Refuse Disposal (Amenity) Act 1978
- Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013
- Riding Establishments Act 1964 and 1970
- Scrap Metal Dealers Act 2013
- Street Collection Regulations 1949

- Undertake authorised surveillance operations including the deployment of CCTV
- Service of Statutory Notices
- Issuing of Statutory Documents
- Powers to enter premises
- Authorise other persons to accompany an officer on entry to a premises

Environmental Health Manager
 Team Leader/Senior Environmental Health Officer
 Environmental Health Officer
 Environmental Protection Officer
 Enforcement Officers
 Technical Officers
 Dog Warden
 Pest Control Officer

- Street Collection Regulations 1979
- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- The Breeding of Dogs (Licensing Records) Regulations 1999
- The Environmental Permitting (England and Wales) Regulations 2010 as amended
- The Houses in Multiple Occupation (Management) (England) Regulations 2009
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012.
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018
- The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2006.
- The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018.
- The Management of Houses in Multiple Occupation (England) Regulations 2006
- The Notification of Cooling Towers and Evaporative Condensers Regulations 1992
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- The Transmissible Spongiform Encephalopathies (England) Regulations 2002
- The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016
- Town and Police Clauses Act 1847
- Zoo Licensing Act 1981.

--	--

Note: Where any officers are referred to above, they shall include non-employees such as consultancy or agency staff, where they are acting in that capacity.

The legislation referred to in this schedule includes:

- (a) Any Orders and Regulations made there under or relating to any of the foregoing or having effect by virtue of the European Communities Act 1972
- (b) Any offence under any legislation, or at common law, which is of a similar nature or related to the foregoing including offences of aiding, abetting, counselling and procuring, incitement, conspiracy, preventing the course of justice and criminal attempts
- (c) Any modification or re-enactment of the foregoing