



Council – 26 June 2019

Updates to the Constitution

Purpose of report

This report proposes a number of amendments to Part 3.2 (Scheme of Delegation) and Part 2 (Articles) of the Constitution to reflect changes in legislation and the forthcoming end of this council and creation of a new unitary council for North Northamptonshire.

Attachment(s)

Appendix A – Proposed Changes to Part 3.2 (Scheme of Delegation)

1.0 Background

1.1 The Monitoring Officer has a responsibility to regularly review the Constitution in the light of the changing context in which the council operates, including changes in legislation. A full review of the Constitution was undertaken in 2015 by Internal Audit and the council's legal advisors, LGSS, and a significant number of changes were implemented as a result. A smaller number of changes have been approved since: some via recommendation from the Governance and Audit Committee; some by direct report to Council; and some minor administrative changes via the Monitoring Officer under delegated powers. The most up to date version of the Constitution can always be found on the council's website. This report proposes a number of further changes as outlined in the next sections.

2.0 Proposed changes to the Constitution

2.1 Part 3.2 Scheme of Delegation: Since the last review of the Scheme of Delegation there have been a number of changes in legislation and officer structure which need to be reflected in the Scheme of Delegation. Full details of the proposed changes are set out in Appendix A.

2.2 Part 2 Article 9 Paragraph 9.05d states that "The Independent Person and reserve will be appointed for a maximum period of two terms of four years." The Current Independent Person was appointed in October 2012 so her second term of office will expire in October 2020. Given that this council will cease to exist in March 2021 it is proposed that in these very specific circumstances the Constitution be amended as follows to enable the current Independent Person and reserve to serve until the end of this council if they wish. Therefore, it is recommended that Part 2 Article 9 Paragraph 9.05d is amended as follows:

"The Independent Person and reserve will be appointed for a maximum period of ~~two~~ **three** terms of four years."

2.3 It is proposed that a further (and final) set of amendments to the Constitution is brought to the July Council meeting.

3.0 Privacy Implications

3.1 There are no privacy implications as a result of this report.

4.0 Equality and Diversity Implications

4.1 There are no equality or diversity implications arising from this report.

5.0 Legal Implications

5.1 There are no known legal implications arising from the changes proposed in this report other than those noted against each proposed change.

6.0 Risk Management

6.1 This report seeks to minimise the risks of legal non-compliance by updating the delegations to officers in line with the latest staff structure and legislation.

7.0 Constitutional Implications

7.1 The proposed change to the Constitution will take effect immediately after the Council approves the amendments.

8.0 Resource and Financial Implications

8.1 There are no financial implications associated with this report.

9.0 Customer Services Implications

9.1 There are no direct customer services implications arising from this report.

10.0 Corporate Outcomes

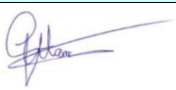
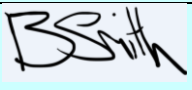
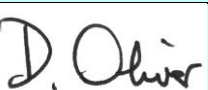
10.1 The proposed amendments to the Constitution will contribute to the corporate outcome of Effective Management by ensuring transparency in decision making

11.0 Recommendation

11.1 It is recommended that Council:

- a) approves the amendments to the Constitution, as set out in Appendix A and paragraph 2.2 of this report.

[Reason: to ensure that the Constitution continues to provide appropriate guidance on council decision making]

Legal	Power: Various – as noted in the report				
	Other considerations:				
Background Papers: Constitution of East Northamptonshire Council.					
Person Originating Report: Sharn Matthews, Monitoring Officer ✉ smatthews@east-northamptonshire.gov.uk ☎ 01832 742108					
Date: 11 June 2019					
CFO 17/06/19		MO (Deputy) 17/06/19		CX 17/06/19	

Proposed Changes to Constitution – Red is proposed new text, strike-through indicates text to be removed

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
7	Service of Planning Contravention Notices (Section 17c), Breach of Condition Notices and Requisition for Information notices under Section 330 The Town and Country Planning Act, 1990	Executive Director; or HoPS, PDM; Senior Principal Enforcement Officers and Senior Conservation Office; in conjunction with the council's legal advisers LGSS Legal Service if required ; with the ability to specify other officers (in addition to those shown) within Planning Services to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION Notice of intention to take action to be given to Ward Members.	Change in staff structure and powers to be used by Planning Enforcement Team and change in council's legal advisers
8.	Issue of Enforcement Notices, Completion Notices, Breach of Condition Notices, Tree Replacement Notices, Advert Removal Notices, Temporary Stop Notices and Stop Notices (see under Planning (Listed Building and Conservation Areas Act 1990 for listed buildings enforcement)	Executive Director; or HoPS, PDM; Principal Enforcement Officers and Senior Conservation Officers; in conjunction with LGSS Legal Service the council's legal advisers as required; with the ability to specify other officers (in addition to those shown) within Planning Services to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION. Notice of intention to take action to be given to Ward Members	Change in staff structure and powers to be used by Planning Enforcement Team

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
9.	Rescind/ withdraw Enforcement Notices (or authority to take action) where matters have been satisfactorily resolved	Executive Director; or HoPS, PDM; Senior Principal Enforcement Officers and Senior Conservation Officers; with the ability to specify other officers (in addition to those shown) within Planning Services to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION. Notice of intention to take action to be given to Ward Members	Change in staff structure
10.	Service of Notices under Section 215 – Land adversely affecting amenity.	Executive Director; or HoPS, PDM; Senior Principal Enforcement Officers and Senior Conservation Officers; in conjunction with LGSS Legal Service if as required; with the ability to specify other officers (in addition to those shown) to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION Notice of intention to take action to be given to Ward Members	Change in staff structure
11.	Service of Discontinuance Notices under the Town and Country Planning (Control of Advertisement) Regulations.	Executive Director; or HoPS, PDM; Principal Enforcement Officer in conjunction with LGSS Legal Service the councils legal advisers if required , ; with the ability to specify other officers (in addition to those shown) within Planning Services to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND	Change in council's legal services arrangements

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal	Reason for Proposed Change
		THE DATE OF AUTHORISATION Notice of intention to take action to be given to Ward Members
11A	Authority to enter land and premises (Section 196A and 196B - Town and Country Planning Act, 1990) for enforcement purposes	Executive Director, HoPS, PDM; Enforcement Officers, Development Management Officers and Senior Conservation Officer; with the ability to specify other officers to act SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION
12.	Notifications/Prior approval To deal with determine notifications received for agricultural and telecommunications development, hazardous substances and demolition proposals and prior approval applications under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)	HoPS, PDM; Executive Director, with the ability to specify other officers (in addition to those shown) within Planning Services to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION
13.	Legal Agreements (S106) Execution and completion of Agreements under Section 106 of the Town and Country Planning Act 1990 in relation to applications for planning permission granted under delegated powers.	Change in council's legal services arrangements
14.	Authority to enter land and premises (Section 196A) for enforcement purposes	To reflect change in legislation

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
14	Negotiation/drafting of Agreements under Section 106 of the Town and Country Planning Act 1990 in relation to applications for planning permission	HoPS, PDM, Executive Director in conjunction with the Councils legal advisers	Formalisation of process
15	<u>The Planning (Hazardous Substances) Regulations 2015</u> To determine applications for Hazardous Substance Consent.	HoPS, PDM; Executive Director, with the ability to specify other officers (in addition to those shown) within Planning Services to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION	Now necessary
17	<u>Listed & Historic Buildings: (Planning (Listed Buildings and Conservation Areas) Act 1990</u> Authority to enter land and premises (Section 88, 88a and 88c)	HoPS; Planning Development Manager , Executive Director, Principal Enforcement Officer and Senior Conservation Officer; with the ability to specify other officers to act SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND DATE OF AUTHORISATION	Now necessary
18.	To serve Listed Building Enforcement Notices ; Repairs Notice, Building Preservation Notice and Urgent Works Notice	HoPS, PDM, Executive Director, Principal Enforcement Officer and Senior Conservation Officer, in conjunction with LGSS Legal Service (if required)	Change in staff structure and widening of enforcement activity
20.	The issuing of Notices to replant a hedgerow or to reinstate a gap in a hedgerow where it appears that a hedgerow has been removed in contravention of Regulation 5(1) or (9)	HoPS, PDM; Planning Policy & Conservation Manager with the ability to specify other officers to act SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND DATE OF AUTHORISATION AND SUBJECT TO REPORTING TO MEMBERS	To reflect future changes in staff structure
25.	The determination of applications pursuant to Tree Preservation Orders.	HoPS, PDM, Planning Policy & Conservation Manager with the ability to specify other officers to act SUBJECT TO KEEPING A RECORD OF THE	To reflect future changes in staff structure

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal	Reason for Proposed Change	
		<p>OFFICERS SO AUTHORISED AND DATE OF AUTHORISATION SUBJECT TO 1. REPORTING TO MEMBERS 2. APPROVALS TO OBSERVE THE FOLLOWING CRITERIA: TO MAINTAIN THE TREE IN A SAFE CONDITION OR TO IMPROVE THE RELATIONSHIP AND PROVIDE A BETTER BALANCE BETWEEN THE TREE AND ITS ENVIRONMENT OR IN FURTHERANCE OF GOOD ARBORICULTURAL PRACTICE</p>	
26.	<p>The consideration of notices of intention to carry out works to trees in Conservation Areas and the taking of action arising therefrom.</p>	<p>HoPS, PDM, Planning Policy & Conservation Manager SUBJECT TO 1. & 2. ABOVE</p>	See proposed change below
26c	<p>The consideration of Section 211 notices (Town and Country Planning Act, 1990) of intention to carry out works to trees in Conservation Areas and the taking of action arising therefrom.</p>	<p>HoPS, PDM, Planning Policy & Conservation Manager; with the ability to specify other officers to act SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND DATE OF AUTHORISATION</p>	Change in legislation
27.	To respond to Forestry Authority consultations	<p>HoPS, PDM, Planning Policy & Conservation Manager; Senior Tree and Landscape Officer – SUBJECT TO NOTIFICATION OF WARD MEMBER</p>	To reflect changes in staff structure
28.	<p>Authority to enter land or premises (Section 214B) and 214C – Town and Country Planning Act 1990)</p>	<p>Executive Director, HoPs, Planning Development Manager; Planning Policy and Conservation Manager; Planning Enforcement Officers and Landscape Officer with ability to specify other officers to act SUBJECT TO KEEPING A</p>	Change in staff structure and widening of enforcement activity

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal	Reason for Proposed Change
		RECORD OF THE OFFICER SO AUTHORISED AND THE DATE OF AUTHORISATION
29.	To determine high hedge complaints and associated appeals applications under the High Hedges (Appeals) (England) (Regulations) 2005	HoPS, PDM, Planning Policy & Conservation Manager with ability to specify other officers to act SUBJECT TO KEEPING A RECORD OF THE OFFICER SO AUTHORISED AND THE DATE OF AUTHORISATION. AND SUBJECT TO RIGHT OF REFERRAL, TO THE PLANNING MANAGEMENT COMMITTEE OF ANY APPLICATION BY MEMBERS, WHERE THEY CONSIDER APPLICATION GIVES RISE TO MORE SIGNIFICANT ISSUES
30.	To determine all Lawful Development Certificate applications (existing and proposed) notwithstanding any comments from the Town/Parish Council	HoPS, PDM in consultation with the council's legal adviser LGSS Legal Service (if required); with the ability to specify other officers (in addition to those shown) within Planning Services to act under the scheme SUBJECT TO KEEPING A RECORD OF THE OFFICERS SO AUTHORISED AND THE DATE OF AUTHORISATION
42.	Changes to conditions (where there are no financial implications):-	Head of Environmental Services in consultation with the Lead Member for Environmental Services SUBJECT TO A CENTRAL RECORD BEING KEPT

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
43. And Renumber subsequent sections	Section 3: Offences and disqualifications: Section 4: Power to prosecute	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Chief Executive; Executive Director; Waste Services Manager; LGSS Legal Service if instructed by ENC authorised officers	No longer required
49. 47	Sections 18 – 21 - Animals in Distress:	Head of Environmental Services, Environmental Protection Manager, Health Protection Manager, Waste Services Manager, Health Protection Officer, Licensing Enforcement Officer, Senior Environmental Protection Officer; Environmental Protection Officers, Senior Environmental Health Officer, Environmental Health Officer, Trainee Environmental Health Officer, Environmental Services Officer, Waste Management Officer- Licensing Compliance Officer	Change in staff structure
50. 48	Sections 22 – 29 - Enforcement Powers: Sections 30 – 31 - Prosecutions:	Head of Environmental Services, Environmental Protection Manager, Health Protection Manager, Waste Services Manager, Executive Director; Chief Executive	
49	Section 51 – Inspectors Section 53 – Powers of entry, inspection and search: supplementary Section 54 – Power to stop and detain vehicles Section 55 – Power to detain vessels, aircraft and hovercraft	Senior Environmental Health Officer; Environmental Health Officer; Health Protection Officer; Licensing Enforcement Officer; Licensing Compliance Officer – where the officer has at least one years experience in licensing and inspecting	New legislative requirement

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
		Animal Activities Businesses or has the required qualification	
50	The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 Power to licence animal activities establishment	Senior Environmental Health Officer; Environmental Health Officer; Health Protection Officer; Licensing Enforcement Officer; Licensing Compliance Officer – where the officer has at least one years experience in licensing and inspecting Animal Activities Businesses or has the required qualification	New legislative requirement
51 ©	Anti-Social Behaviour, Crime and Policing Act 2014 Part 4 Community Protection Notices	Executive Director; Head of Environmental Services, Head of Planning Services, Head of Community and Customer Services. With the ability of the above to delegate to other officers to act under the scheme of delegation subject to keeping a record of the officers so authorised and the date of authorisation. Environmental Protection Manager; Health Protection Manager; Waste Services Manager; Senior Environmental Protection Officer, Environmental Protection Officer; Housing Technical Officer; Senior Environmental Health Officer; Environmental Health Officer; Health Protection Officer; Licensing Enforcement Officer; Licensing Compliance Officer; Waste Management Officer; Environmental Services Officer	Change in staff structure

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
58.	<u>Building Act 1984</u> Part 3 – Other Provisions about buildings: Part 4: General	Head of Environmental Services; Environmental Protection Manager; Waste Services Manager; Health Protection Manager; Executive Director; Chief Executive; Health Protection Officer; Environmental Services Officer Licensing Enforcement Officer; Senior Environmental Protection Officer; Environmental Protection Officers; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Waste Management Officer; Housing Technical Officer	Change in staff structure
66.	<u>Clean Air Act 1993</u> Part 1 - Dark Smoke: Part 2 - Smoke, Grit, Dust and Fumes: Part 4 - Control of certain forms of air pollution: Part 7: Miscellaneous and General:	Health Protection Manager; Head of Environmental Services; Environmental Protection Manager; Senior Environmental Protection Officer; Environmental Protection Officers; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Waste Services Manager; Waste Management Officer; Environmental Services Officer	Change in staff structure
66b	<u>Clean Neighbourhoods and Environment Act 2005</u> Part 2 – Vehicles Sections 3 – 5 Part 3 - Litter and refuse Par 4 - Graffiti Part 6 - Waste	Head of Planning Services, Planning Development Manager, Senior Planning Enforcement Officer, Planning Enforcement Officer Head of Environmental Services, Waste Services Manager, Environmental Protection Manager, Health Protection	Change in staff structure/roles

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		Manager, Waste Management Officer, Environmental Services Officer	
78.	<u>Environment Act 1995</u> Part 2 – Contaminated Land and Abandoned Mines:	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Environmental Protection Officer; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer; Waste Services Manager; Senior Environmental Protection Officer	Change in staff structure
79.	Part 4 – Air Quality:	Head of Environmental Services; Environmental Protection Manager; Senior Environmental Protection Officer; Environmental Protection Officer; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Waste Services Manager	Change to ensure resilience in response
99.	<u>Gambling Act 2005</u> Part 1 – Interpretation of Key Concepts: Part 3 - General Offences: Part 4 - Protection of Children & Young Persons: Part 5 - Operating Licences: Part 6 - Personal Licences:-	Head of Environmental Services, Health Protection Manager, Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer, Environmental Protection Manager, Senior Environmental Protection Officer; Environmental Protection Officers, Licensing Enforcement Officer; Waste Services Manager; Licensing Compliance Officer	Change in staff structure

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
101.	Part 8 – Premises Licences: Part 9 – Temporary Use of Premises: Part 10 – Gaming Machines: Part 11 – Lotteries: Part 12: Clubs, Pubs, fairs etc: Part 13 – Prize Gaming: Part 14 – Private and Non-commercial Gaming and Betting: Part 15 – Inspection: Part 18 – Miscellaneous and General:	Head of Environmental Services, Health Protection Manager, Environmental Protection Manager, Waste Services Manager, Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer, Senior Environmental Protection Officer, Environmental Protection Officers, Licensing Enforcement Officer; Licensing Compliance Officer	Change in staff structure
104.	<u>Health Act 2006 (Smoking Prohibition)</u> Part 1 – Smoking:	Head of Environmental Services, Health Protection Manager, Environmental Protection Manager; Waste Services Manager; Licensing Enforcement Officer, Trainee Environmental Health Officer, Health Protection Officer, Senior Environmental Health Officer, Environmental Health Officer; Senior Environmental Protection Officer; Environmental Protection Officer, Waste Management Officer; Executive Director; Chief Executive; Environmental Services Officer; Licensing Compliance Officer	Change in staff structure
136.	<u>Hypnotism Act 1952</u> Sections 1-7 – Control of demonstrations at premises, fees, prohibition of hypnotising under 21s and powers of entry:	Head of Environmental Services; Executive Director; Chief Executive; Environmental Protection Manager; Health Protection Manager; Waste Services Manager; Senior Environmental Health Officer, Environmental Health Officer;	Change in staff structure

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal	Reason for Proposed Change
		Trainee Environmental Health Officer; Health Protection Officer; Licensing Enforcement Officer; Licensing Compliance Officer
138.	<u>Local Government Act 1972 – Sections 112 and 223</u> To act as appropriate in the Magistrates Court:	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Senior Environmental Health Officer, Environmental Health Officer; Health Protection Officer; Waste Services Manager ; Senior Environmental Protection Officer, Environmental Protection officer, Housing Technical Officer, Waste Management Officer, Environmental Services Officer
141.	<u>Licensing Act 2003 and Police and Social Reform Act 2012</u> Part 1 - Licensable Activities: Part 2 –Licensing Authorities: Part 3 - Premises Licences: Part 4 –Clubs: Part 5 –Permitted Temporary Activities: Part 6 –Personal Licences: Part 7 – Offences: Part 8 –Closure of Premises: Part 9 –Miscellaneous and Supplementary:	Head of Environmental Services, Environmental Protection Manager; Health Protection Manager, Waste Services Manager; Executive Director; Chief Executive, Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer Senior Environmental Protection Officer; Environmental Protection Officer; Licensing Enforcement Officer ; Licensing Compliance Officer

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147.	<u>Local Government (Misc. Provisions) Act 1976</u> To serve Notices for the provision of sanitary appliances at places of entertainment (Section 20 and Part II Sections 16 and 35):	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Health Protection Officer; Executive Director; Chief Executive; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Waste Services Manager; Licensing Enforcement Officer; Licensing Compliance Officer	Change in staff structure
148.	Powers of entry, inspection & examination:	Health Protection Manager; Head of Environmental Services; Environmental Protection Manager, Senior Environmental Protection Officer; Environmental Protection Officer; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer, Health Protection Officer; Waste Services Manager; Licensing Enforcement Officer; Licensing Compliance Officer	Change in staff structure
150.	To serve Notices for removal of obstruction in private sewers (Section 35):	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Executive Director, Chief Executive; Waste Services Manager; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer; Housing Technical Officer; Environmental Services Officer, Environmental Protection Officer; Senior Environmental Protection Officer	Change in staff structure

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153.	To carry out all duties under the above legislation	Head of Environmental Services; Health Protection Manager; Environmental Protection Manager; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Executive Director; Chief Executive; Health Protection Officer; Licensing Enforcement Officer; Waste Services Manager; Licensing Compliance Officer	Change in staff structure
162.	<u>Noise Act 1996</u> Sections 1-9 – Summary procedure for dealing with noise at night: Section 10 – Seizure etc of equipment used to make noise unlawfully: Sections 11 – 14 – General provisions: Schedules relating to the above Sections:	Head of Environmental Services; Health Protection Manager; Environmental Protection Manager; Waste Services Manager, Senior Environmental Health Officer, Environmental Health Officer, Trainee Environmental Health Officer; Licensing Enforcement Officer, Health Protection Officer, Senior Environmental Protection Officer; Environmental Protection Officer; Waste Management Officer; Licensing Compliance Officer, Environmental Services Officer	Change in staff structure
165.	<u>Office Shops & Railway Premises Act 1963</u> Section 4 – 27 – Health Safety and Welfare of Employees (General Provisions): Sections 52 & 59: Enforcement: Section 63 – Offences:	Head of Environmental Services; Health Protection Manager; Health Protection Officer; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Licensing Enforcement Officer; Licensing Compliance Officer	Change in staff structure

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167.	Powers of entry, inspection & examination (Section 4):	Health Protection Manager; Head of Environmental Services; Environmental Protection Manager, Trainee Environmental Health Officer; Senior Environmental Health Officer, Environmental Health Officer; Waste Services Manager, Health Protection Officer, Licensing Enforcement Officer; Licensing Compliance Officer	Change in staff structure
168.	<u>Prevention of Damage by Pests Act 1949</u> Part 1 – Rats & Mice: Part 2: Supplemental:	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Waste Services Manager; Executive Director; Chief Executive; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer; Senior Environmental Protection Officer; Environmental Protection Officer; Licensing Enforcement Officer; Environmental Services Officer; Waste Management Officer; Licensing Compliance Officer	Change in staff structure
174.	<u>Public Health Act 1961</u> Part 2 – Sanitation and Buildings:	Health Protection Manager; Head of Environmental Services; Environmental Protection Manager; Waste Services Manager; Executive Director; Chief Executive; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Senior Environmental Protection Officer;	Change in staff structure

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
		Environmental Protection Officer; Licensing Enforcement Officer; Housing Technical Officer; Health Protection Officer; Environmental Services Officer; Waste Management Officer; Licensing Compliance Officer	
177.	<u>Public Health (Infectious Disease) Regulations 1998</u> Powers of entry, inspection and examination:	Head of Environmental Services; Health Protection Manager; Environmental Protection Manager; Executive Director; Chief Executive; Waste Services Manager; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer; Senior Environmental Protection Officer; Environmental Protection Officer; Licensing Enforcement Officer; Housing Technical Officer; Environmental Services Officer; Waste Management Officer ; Licensing Compliance Officer	Change in staff structure
181.	Riding Establishments Acts 1964 & 1970 Sections 1 – 8 of 1970 Act:	Head of Environmental Services; Health Protection Manager; Executive Director; Chief Executive; Environmental Protection Officer; Environmental Protection Manager; Environmental Services Officer; Licensing Enforcement Officer; Waste Services Manager; Waste Management Officer; Health Protection Officer; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer	Change in legislative base

Part 3.2 Constitution Reference Paragraph	Track Change Version of Changes – red text is proposed <i>insertion</i> whilst deleted-text is proposed for removal		Reason for Proposed Change
184.	<u>Site Waste Management Plans Regulations 2008</u> Sections 1—17 – To accept Site Waste Management Plans and, in conjunction and consultation with all relevant statutory bodies, enforce compliance of these plans:	Executive Director, Chief Executive; Head of Environmental Services, and Waste Services Manager	Change in legislative base
186.	<u>Sunday Trading Act 1994 – Sch. 2, para. 2</u> Powers of entry, inspection & examination:	Head of Environmental Services; Health Protection Manager; Environmental Protection Manager; Waste Services Manager; Executive Director; Chief Executive; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer; Licensing Enforcement Officer; Licensing Compliance Officer TO BE REPORTED TO WARD MEMBERS	Change in staff structure
187.	<u>Sunbeds (Regulation) Act 2010 – Sections 1-14</u> Powers of entry and enforcement:	Licensing Enforcement Officer; Health Protection Officer; Environmental Health Officers, Student Environmental Health Officer (authority to enter premises only); Senior Environmental Health Officer, Health Protection Manager; Senior Environmental Protection Officer; Environmental Protection Officers, Environmental Protection Manager; Licensing Compliance Officer	Change in staff structure

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189.	<u>Town Police Clauses Act 1847</u> <u>Transport Act 1985</u> Sections 37 – 68 (TPA)– Hackney carriages: Sections 10 – 16 (TA) – Taxis and Hire Cars:	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Executive Director; Chief Executive; Waste Services Manager; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer; Licensing Enforcement Officer; Licensing Compliance Officer . APPLICATIONS WHICH OFFICERS ARE MINDED TO REFUSE TO BE DETERMINED BY A LICENSING (TAXI AND MISCELLANEOUS) PANEL	Change in staff structure
199.	<u>Zoo Licensing Act 1981</u> Sections 16 – 19 – Enforcement:	Head of Environmental Services; Environmental Protection Manager; Waste Services Manager; Health Protection Manager; Executive Director; Chief Executive; Health Protection Officer; Licensing Enforcement Officer; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Licensing Compliance Officer	Change in staff structure
199.	Sections 16 – 19 – Enforcement:	Head of Environmental Services; Environmental Protection Manager; Waste Services Manager; Health Protection Manager; Executive Director; Chief Executive; Health Protection Officer; Licensing Enforcement Officer; Senior Environmental Health Officer, Environmental Health Officer; Trainee	Change in staff structure

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		Environmental Health Officer; Licensing Compliance Officer	
201	<u>Energy Efficiency (Private Rented Property) Regulations 2015 and Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2019</u>	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Waste Services Manager; Housing Technical Officer	New legislation
Throughout rest of document		Change reference from LGSS to 'the council's legal advisors'	To reflect the transition from LGSS to District law in preparation for Unitary Council