

*Officer Delegation Scheme (Council (non-executive) functions)***Director of Environment and Neighbourhoods**

The Director of Environment and Neighbourhoods<sup>1</sup> is authorised to discharge the following Council (non-executive) functions:

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| (a) | To issue licences authorising the use of land as a caravan site ("site licences")                                      | Section 3(3) of the Caravan Sites and Control of Development Act 1960   |
| (b) | To license the use of moveable dwellings and camping sites   | Section 269(1) of the Public Health Act 1936  |
| (c) | To license premises for acupuncture, tattooing, ear-piercing and electrolysis  | Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982   |
| (d) | To license premises for the breeding of dogs   | Section 1 of the Breeding of Dogs Act 1973 and Section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999  |
| (e) | To license pet shops and other establishment where animals are bred or kept for the purposes of carrying on a business | Section 1 of the Pet Animals Act 1951, section 1 of the Animal Boarding Establishments Act 1963, the Riding Establishments Act 1964 and 1970, section 1 of the Breeding of Dogs Act 1973 and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999 |
| (f) | To register animal trainers and exhibitors   | Section 1 of the Performing Animals (Regulation) Act 1925   |
| (g) | To license zoos  | Section 1 of the Zoo Licensing Act 1981   |
| (h) | To license dangerous wild animals  | Section 1 of the Dangerous Wild Animals Act 1976  |
| (i) | To grant consent for the operation of a loudspeaker  | Schedule 2 to the Noise and Statutory Nuisance Act 1993   |
| (j) | To issue licences for the movement of pigs   | Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (SI 1996/11)   |
| (k) | To license the sale of pigs  | Article 13 of the Pigs (Records, Identification and Movement) Order 1995  |

<sup>1</sup> The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

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| (l)         | To license collecting centres for the movement of pigs  | Article 14 of the Pigs (Records, Identification and Movement) Order 1995  |
| (m)         | To issue a licence to move cattle from a market   | Article 5(2) of the Cattle Identification Regulations 1998 (SI 1998/871)  |
| (n)         | To sanction use of parts of buildings for storage of celluloid                                | Section 1 of the Celluloid and Cinematograph Film Act 1922  |
| (o)         | Duty to enforce Chapter 1 and regulations made under it                                       | Section 10(3) of the Health Act 2006  |
| (p)         | Power to authorise officers   | Section 10(5) of, and paragraph 1 of Schedule 2 to, the Health Act 2006   |
| (q)         | Functions related to fixed penalty notices  | Paragraphs 13,15 and 16 of Schedule 1 to the Health Act 2006. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (SI 2006/760) |
| (r)         | Power to transfer enforcement functions to another enforcement authority                      | Smoke-free(Premises and Enforcement) Regulations 2006 (SI 2006/3368)  |
| <u>(s)</u>  | <u>To license pleasure boats and pleasure vessels</u>   | <u>Section 94 of the Public Health Acts Amendment Act 1907</u>  |
| <u>(t)</u>  | <u>To authorise erection of stiles etc on footpaths or bridleways<sup>2</sup></u>             | <u>Section 147 of the Highways Act 1980</u>   |
| <u>(u)</u>  | <u>To create footpath bridleway or restricted byway by agreement</u>                          | <u>Section 25 of the Highways Act 1980</u>  |
| <u>(v)</u>  | <u>To create footpaths bridleways and restricted byways</u>                                   | <u>Section 26 of the Highways Act 1980</u>  |
| <u>(w)</u>  | <u>Duty to keep register of information with respect to maps, statements and declarations</u> | <u>Section 31A of the Highways Act 1980</u>   |
| <u>(x)</u>  | <u>To stop up footpaths bridleways and restricted byways</u>                                  | <u>Section 118 of the Highways Act 1980</u>   |
| <u>(y)</u>  | <u>To determine application for public path extinguishment order</u>                          | <u>Sections 118ZA and 118C(2) of the Highways Act 1980</u>  |
| <u>(z)</u>  | <u>To make a rail crossing extinguishment order</u>   | <u>Section 118A of the Highways Act 1980</u>  |
| <u>(aa)</u> | <u>To divert footpaths bridleways and restricted byways</u>                                   | <u>Section 119 of the Highways Act 1980</u>   |
| <u>(bb)</u> | <u>To make a public path diversion order</u>  | <u>Sections 119ZA and 119C(4) of the Highways Act 1980</u>  |
| <u>(cc)</u> | <u>To make a rail crossing diversion order</u>  | <u>Section 119A of the Highways Act 1980</u>  |
| <u>(dd)</u> | <u>To make a special diversion order</u>  | <u>Section 119B of the Highways Act 1980</u>  |

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<sup>2</sup> Functions (t) – (ww) are limited to areas contained within the Definitive Map of Public Rights of Way. Functions (t), (ii), (jj) and (rr) are also delegated to the Director of City Development whose powers are not limited to areas contained within the Definitive Map of Public Rights of Way.

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| (ee) | <u>To require applicant for order to enter into agreement</u>   | <u>Section 119C(3) of the Highways Act 1980</u>                 |
| (ff) | <u>To make an SSSI diversion order</u>  | <u>Section 12B of the Highways Act 1980</u>                     |
| (gg) | <u>To keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980</u>                    | <u>Section 121B of the Highways Act 1980</u>                    |
| (hh) | <u>To decline to determine certain applications</u>   | <u>Section 121C of the Highways Act 1980</u>                    |
| (ii) | <u>To assert and protect the rights of the public to use and enjoyment of highways</u>  | <u>Section 130 of the Highways Act 1980</u>                     |
| (jj) | <u>To apply for variation of order under section 130B of the Highway Act 1980</u>   | <u>Section 130B(7) of the Highways Act 1980</u>                 |
| (kk) | <u>To authorise temporary disturbance of surface of footpath bridleway or restricted byway</u>  | <u>Section 135 Highways Act 1980</u>                            |
| (ll) | <u>To divert footpath bridleway or restricted byway temporarily</u>   | <u>Section 135A of the Highways Act 1980</u>                    |
| (mm) | <u>To extinguish certain public rights of way</u>   | <u>Section 32 of the Acquisition of Land Act 1981</u>           |
| (nn) | <u>To keep definitive map and statement under review</u>  | <u>Section 53 of the Wildlife and Countryside Act 1981</u>      |
| (oo) | <u>To include modifications in other orders</u>   | <u>Section 53A of the Wildlife and Countryside Act 1981</u>     |
| (pp) | <u>To keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981</u> | <u>Section 53B of the Wildlife and Countryside Act 1981</u>     |
| (qq) | <u>To prepare map and statement by way of consolidation of definitive map and statement</u>   | <u>Section 57A of the Wildlife and Countryside Act 1981</u>     |
| (rr) | <u>To designate footpath as cycle track</u>   | <u>Section 3 of the Cycle Tracks Act 1984</u>                   |
| (ss) | <u>To extinguish public right of way over land acquired for clearance</u>   | <u>Section 294 of the Housing Act 1981</u>                      |
| (tt) | <u>To authorise stopping up or diversion of footpath bridleway or restricted byway</u>  | <u>Section 257 of the Town and Country Planning Act 1990</u>    |
| (uu) | <u>To extinguish public rights of way over land held for planning purposes</u>  | <u>Section 258 of the Town and Country Planning Act 1990</u>    |
| (vv) | <u>To enter into agreements with respect to means of access</u>   | <u>Section 35 of the Countryside and Rights of Way Act 2000</u> |
| (ww) | <u>To provide access in absence of agreement</u>  | <u>Section 37 of the Countryside and Rights of Way Act 2000</u> |

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