

Appendices to Article 16

All legislation stated is subject to any legislation amendments, repeals or re-enactments as are current at any time.

Assistant Director, Environment

Act	Proper Officer Function
Section 234, Local Government Act 1972	Signature of documents under the Housing Act in relation to the condition of houses or environmental health
Section 76, Building Act 1984	Defective Premises
Section 149, Environmental Protection Act 1990	To act as appointed Officer for dogs
Section 79, Environmental Protection Act 1990	To inspect district for detection of statutory nuisance
Section 33, Local Government (Miscellaneous Provisions) Act 1976	To arrange for restoration of gas, electricity or water supply where building is occupied as a dwelling and supply has been cut off as a result of landlord failure.
Section 29, Local Government (Miscellaneous Provisions) Act 1982	To undertake work to a building to prevent it becoming a danger to public health
Section 59, Building Act 1984	To arrange for repair where drainage is inadequate
Environmental Protection Act 1990 Part I	Signature of documents in relation to local authority air pollution control
Section 61, Control of Pollution Act 1974	To issue prior consents regarding noise from construction sites
Section 16, Local Government (Miscellaneous Provisions) Act 1976	To serve requisitions for information
Food Safety Act 1990 and the European Communities Act 1972	To issue approvals to food businesses falling under the provisions of Regulations
Section 4, Prevention of Damage by Pests Act 1949	To serve notice to require destruction of rats or mice or keeping land free of rats and mice

Private Sector Housing Act	Action
Local Government Act 1972, Section 234	Signature or documents under the Housing Act in relation to the condition of houses or environmental health

Section 80 Environmental Protection Act
1990

Abatement Notices

Private Sector Housing Act	Action
Section 79 Environmental Protection Act 1990	To inspect district for detection of statutory nuisance
Section 33 Local Government (Miscellaneous Provisions) Act 1976	To arrange for restoration of gas electricity or water supply where building is occupied as a dwelling and supply has been cut off as a result of landlord failure
Section 35 Local Government (Miscellaneous Provisions) Act 1976	Unblock private sewers
Sections 45, 50, 79 and 140 of the Public Health Act 1936	(45) Defective closets; (50) Overflowing and leaking cesspools; (79) Power to require removal of noxious matter by occupier of premises in urban district; (140) Power to close, or restrict use of water from polluted source of supply
Section 234 Local Government Act 1972	Proper officer to sign documents in relation to condition of houses or environmental health
Section 76 Building Act	Defective premises
Landlord failure under Section 33 Local Government (Miscellaneous Provisions) Act 1976	Restoration of gas, electricity or water supply where building occupied as a dwelling
Section 29 Local Government (Miscellaneous Provisions) Act 1982	Undertake works to a building to prevent it becoming a danger to public health
Section 59 Building Act 1984	Arrange for repair where drainage inadequate
Section 16 Local Government (Miscellaneous Provisions) Act 1976	Requisitions for information
Housing Grants, Construction and Regeneration Act 1996 as implemented under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002	To authorise grants (with the exception of Disabled Facilities Grants)
Section 49 Housing Act 2004	To serve demand for payment notices in respect of housing enforcement
Sections 5, 6 and 7 Housing Act 2004	To serve notices in respect of category 1 and 2 hazards
The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 made under the Energy Act 2011-added CI mtg 21.01.16	To carry out all enforcement functions, including the service of compliance and penalty notices
The Smoke and Carbon Monoxide Alarm (England) Regulations 2012 made under the Housing Act 2004 added CI mtg 21.01.16	To carry out all enforcement functions, including the service of remedial and penalty charges notices.

Waste Services (litter, waste, dog fouling) Act	Action
Environmental Protection Act 1990 Section 149	To serve notice, enforcement notices and enter premises (including officers delegated on behalf of the Council)
The Refuse Disposal (Amenity) Act 1978	To serve notice, enforcement notices and enter premises (including officers on behalf of the Council)
The Fouling of Land by Dogs within the District of South Kesteven Order 2010	To serve notice, enforcement notices and enter premises (including officers on behalf of the Council)
The Dogs Exclusion within the District of South Kesteven Order 2010	To serve notice, enforcement notices and enter premises (including officers on behalf of the Council)
The Dogs on Leads under direction within the District of South Kesteven Order 2010 and in accordance with the Clean Neighbourhood and Environment Act 2005	To serve notice, enforcement notices and enter premises (including officers on behalf of the Council)
Anti Social Behaviour Act 2003	To serve notice, enforcement notices and enter premises (including officers on behalf of the Council)
Clean Neighbourhoods Act 2005	Delegated powers relating to enforcement
Police Community Support Officers (PCSOs) have delegated authority from the Council to serve fixed penalty notices in relation to litter, waste and dog fouling	
Licensing Act	Action
Local Government (Miscellaneous Provisions) Act 1976	Licensing of hackney carriage and private hire vehicles and drivers and fitness to hold such licences
Town Police Clauses Act 1847	Licensing of hackney carriage and private hire vehicles and drivers and fitness to hold such licences
Section 52 Road Safety Act 2006	In consultation with Legal and Democratic Services and the Licensing Committee Chairman(or Vice-Chairman in his/her absence) to suspend or revoke a hackney carriage or private hire drivers' licence if "the interests of public safety require the suspension or revocation of the licence to have immediate effect"

Licensing (cont) Act	Action
Charities Act 1992 and 2006 and other relevant statutory provisions	Approve permits for public collections for charitable or other purposes
Local Government (Miscellaneous Provisions) Act 1982 – Street Trading	Approve applications for grant, renewal and transfer of licence and registrations subject to satisfying necessary conditions
Licensing Act 2003 – Alcohol, entertainment and late night refreshment licensing	Approve applications for grant, renewal and transfer of licence or registrations of premises and/or persons subject to satisfying necessary conditions
Gambling Act 2005 - Gambling	Approve applications for grant, renewal and transfer of licence and registrations subject to satisfying necessary conditions.
Enforcement Policy approved by the Licensing Committee and the Alcohol, Entertainment and Late Night Refreshment Licensing Committee	Enforcement action on licensing matters
Scrap Metal Dealers Act 2013	Administration and Enforcement of the Act – including powers to enter and inspect premises (Section 16) and serve Notices under Section 1, Section 7 (proposal to refuse, revoke or vary licences)
Scrap Metal Dealers Act 2013	<ul style="list-style-type: none"> - Grant of a site or collectors licence without conditions - Grant of a site or collects licence with conditions - Refusal, revocation or variation of a site or collectors licence

Community Safety Act	Action
Crime and Disorder Act 1998 Section 1(1) Police Reform Act 2002 Anti-Social Behaviour, Crime Policing Act 2014 (as amended)	Authorise Anti Social Behaviour Officers and Legal Officers to make applications to the relevant Court for Anti Social Behaviour Orders
Public Health Act	Action
<p>The Executive Manager, Environment is the Proper Officer of the Council in relation to public health matters. Authority is also delegated to the Director of Public Health, other appropriately qualified health protection professionals and officers in Environmental Health as act as Proper Officers under the Public Health (Control of Disease) Act 1984, as amended by the Health and Social Care Act 2012, and Regulations made under it and the Public Health Acts 1936 and 1961.</p>	
Section 85 Public Health Act 1961 Public Health Control of Diseases Act 1984 Section 47 of the National Assistance Act 1948 Section 1 of the National Assistance (Amendment) Act 1951	Proper Officer of the Council
Sections 11, 18, 20, 21, 22, 24, 29, 31, 32, 36, 38, 40, 42, 43 and 48 Public Health (Control of Disease) Act 1984	Notification and control powers for Communicable Diseases
Regulations 6, 8, 9, 10 Public Health (Infectious Diseases) Regulations 1988	Additional Powers to the above
Sections 84 and 85 Public Health Act 1936	Cleansing of filthy or verminous articles, persons or clothing
Section 37 Public Health Act 1961	Disinfestations of verminous articles offered for sale
Section 47 of the National Assistance Act 1948 and section 1 of the National Assistance (amendment) Act 1951	Removal from home and detention in a care home or hospital for persons in need of proper care and attention
Sections 37 & 38 of the Public Health (Control of Diseases) Act 1984 (as modified or applied by the Public Health (Infectious Diseases) Regulations 1988)	Apply to the Justice of the Peace for orders in relation to persons suffering from communicable diseases.

Legislation

The Executive Manager Environment and officers designated in writing by him/her are authorised to act under the following statutes including any orders or regulations made there under or having effect by virtue of any of the foregoing, or any modification or re-enactment of the foregoing

Anti-Social Behaviour, Crime and Policing Act 2014 (as amended)
Animal Boarding Establishments Act 1963
Animal Health Act 1981
Animal Welfare Act 2006
Anti Social Behaviour, Crime and Policing Act 2014
Breeding of Dogs Acts 1973 and 1991
Breeding and Sale of Dogs (Welfare) Act 1999
Building Act 1984
Burials Act 1857
Caravan Sites and Control of Development Act 1960
Chemicals (Hazard Information and Packaging) Regulations 2009
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Control of Noise and Work Regulations 2005
Control of Pollution Act 1974
Control of Pollution (Amendment) Act 1989
Control of Substances Hazardous to Health Regulations 1999
Criminal Justice and Public Order Act 1994
Crop Residues (Burning) (England and Wales) Regulations 1993
Dangerous Dogs Act 1991
Dangerous Dogs (Amendment) Act 1997
Dangerous Wild Animals Act 1976
Dark Smoke (Permitted Period) Regulations 1958
Dogs Act 1871
Electricity at Work Regulations 1989
Environmental Protection Act 1990
Environment Act 1995
Enterprise and Regulatory Reform Act 2013
Factories Act 1961
Fire Safety and Safety of Places of Sport Act 1987
Food and Environment Protection act 1985
Food Hygiene (England) Regulations 2013
Food Labelling Regulations 1996
Food Premises (Registration) Regulations 1991
Food Safety Act 1990 and any orders or regulations made there under
Fresh Meat (Beef Controls) (No.2) Regulations 1996
Gambling Act 2005
General Food Regulations 2004
Health Act 2006
Health and Safety at Work etc. Act 1974 and associated legislation
Health and Safety (Enforcing Authority) Regulations 1998
Health and Safety (First Aid) Regulations 1981
Health and Safety Information for Employees Regulations 1989

House to House Collections Act 1939 (and Regulations made there under)
Housing Act 1985
Housing Act 1996
Housing Act 2004
Housing Grants Construction and Regeneration Act 1996
Housing (Fitness Enforcement Procedures) Order 1996
Housing (Prescribed Forms) (No.2) Regulations 1990, as amended 1997
Houses in Multiple Occupation (Charges for Registration Schemes) Order 1997
Housing (Means of Escape from Fire in Houses in Multiple Occupation) Order 1981
Hypnotism Act 1952
Land Compensation Act 1973
Land Drainage Act 1991
Licensing Act 2003
Licensing and Management of Houses in Multiple Occupation and other houses (Miscellaneous Provision) (England) Regulations 2006
Lifting Operations and Lifting Equipment Regulations 1998
Local Government Act 1972 (Byelaw, Section 235)
Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Act 1976 and 1982
National Assistance Act 1948 and 1951
Noise and Statutory Nuisance Act 1993
Offices, Shops and Railway Premises Act 1963
Pesticides Act 1998
Pet Act Animals 1951
Pollution Prevention and Control Act 1999
Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995
Prevention of Damages by Pests Act 1949
Pressure Systems and Transportable Gas Containers Regulations 1989
Private Water Supplies Regulations 2009
Public Health Act 1936
Public Health Act 1961
Public Health (Control of Disease) Act 1984
Radioactive Substances Act 1993
Refuse Disposal (Amenity) Act 1978
Regulations of Investigatory Powers Act 2000
Riding Establishments Act 1964
Riding Establishments Act 1970
Road Traffic (Regulations) Act 1984
Scrap Metal Dealers Act 2013
Sunday Trading Act 1994
Slaughter of Poultry Act 1967
Slaughterhouses Act 1974
Sunday Observance Act 1780
The Contaminates in Food (England) Regulations 2003 and 2007
The Dangerous Substances (Notification and Marking of Sites) Regulations 1990
The European Communities Act 1972
The Game Act 1831
The Health and Safety (Display Screen Equipment Regulations 1992

The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2007
The Housing (Enforcement Procedures for Houses in Multiple Occupation) Order 1997
The Housing (Fire Safety in HMO's) Order 1997
The Housing (Interim Management Orders) (Provisional Circumstances) (England) Order 2006
The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) Regulations 2006
The Imported Food Regulations 1997
The Licensing of Homes in Multiple Occupation (Prescribed Descriptions) (England) Order 2006
The Local Government (Miscellaneous Provisions) Act 1982 S.3
The Management of Houses in Multiple Occupation (England) Regulations 2006
The Management of Health and Safety at Work Regulations 1992
The Manual Handling Operations Regulations 1992
The Meat (Enhanced Enforcement Powers) England Regulations 2000
The Mobile Homes Act 2013 and the Mobile Homes Act 1983
The Notification of Cooling Towers and Evaporative Condensers Regulations 1992
The Noise Act 1996
The Official Feed and Food Controls (England) Regulations 2009
The Personal Protection Equipment at Work Regulations 1992
The Police, Factories etc. (Miscellaneous Provisions) Act 1916, S.5 as amended by S.251 and Schedule 29 to the Local Government Act 1972
The Provision and Use of Work Equipment Regulations 1998
The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006
The Transmissible Spongiform Encephalopathy (England) Regulations 2010
The Working Times Regulations 1998
The Workplace (Health, Safety and Welfare) Regulations 1992
Town Police Clauses Act 1847
Trade in Animals and Related Products Regulations 2011
Vehicles (Crime) Act 2001
Water industry Act 1991 and 1999
Water Resources Act 1991
Water Supply (Water Quality) Regulations 1989 and 2000
Zoo Licensing Act 1981