



Dear Councillor

**LICENSING AND PROTECTION COMMITTEE - WEDNESDAY, 19 MARCH 2025**

I am now able to enclose for consideration at the above meeting the following reports that were unavailable when the agenda was printed.

**Agenda Item  
No.**

**5. LICENSING AND PROTECTION COMMITTEE - SCHEME OF DELEGATION TO OFFICERS (Pages 3 - 28)**

To consider a report by the Public Protection Manager seeking approval of an updated scheme of delegation to reflect internal structure changes –  
**TO FOLLOW.**

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**Public**  
**Key Decision - No**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Scheme of Delegation to Officers

**Meeting/Date:** Licensing and Protection Committee –  
Wednesday 19<sup>th</sup> March 2025

**Executive Portfolio:** Executive Councillor for Resident Services and  
Corporate Performance, Councillor S W  
Ferguson

**Report by:** Claudia Deeth, Public Protection Manager

**Ward(s) affected:** All

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### **Executive Summary:**

At their meeting in January 2024, the Licensing and Protection Committee agreed an amended version of the Scheme of Delegation to reflect internal structure changes as well as amendments to post holder titles. Following a further restructure within the Council, the Committee is asked to approve a new Scheme of Delegation that reflects the deletion and replacement of posts.

### **RECOMMENDATIONS:**

**The Licensing and Protection Committee is RECOMMENDED to:**

- i) approve the scheme of delegation from Licensing & Protection Committee to Officers**
- ii) that the Public Protection Manager be authorised to make minor editorial changes which by definition make no change to the powers of delegations,**
- iii) that the Public Protection Manager, in consultation with the Chair and Vice Chair of the Licensing & Protection Committee, be authorised to make changes as a result of revocations, amendments, or enactment of relevant statutory provisions**
- iv) that the Public Protection Manager be authorised to appoint such suitably qualified officers as deemed appropriate to exercise those duties delegated to him**

## **1. PURPOSE OF THE REPORT**

- 1.1 The Council Constitution 2016 details the Responsibility for Functions, and specifically the responsibilities of the Licensing & Protection Committee (the Committee). On 19<sup>th</sup> July 2016, a report was presented to the then Licensing and Protection Committee advising that legal advice had recommended that the Committee formally resolve a scheme of delegation for Officers with regards to the licensing and registration functions, and health and safety at work functions contained within Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.
- 1.2 The report was subsequently approved and implemented.
- 1.3 Following a number of restructures resulting in changes to the names of certain posts, this report was brought back to the Licensing and Protection Committee in January 2024 to request approval of an amended scheme of delegation.
- 1.4 This report is being brought to the Committee a further time following another restructure and changes to the titles of officers detailed within the Scheme of Delegation.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 There have been further amendments to role titles following a restructure in January 2025, meaning that previously used job titles no longer exist. It is therefore necessary to seek approval from the Committee for a new scheme of delegation that reflects the amendments.

## **3. KEY IMPACTS / RISKS**

- 3.1 Should a scheme of delegation contain incorrect information relating to decision making responsibilities, it may invalidate the action that is being taken by officers. Should this be recognised and subsequently challenged, any decisions made could be reversed. There is a significant reputational risk to the District Council if this were to happen.

## **4. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- 4.1 If approved, the new scheme of delegation will be implemented immediately, and all associated documentation updated accordingly.

## **5. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

*(See [Corporate Plan](#))*

- 5.1 Priority 1 – Improving quality of life for local people.

- 5.2 Priority 3 – Delivering good quality, high value-for-money services with good control and compliance with statutory obligations.

## **6. LEGAL IMPLICATIONS**

- 6.1 For the scheme of delegation to be implemented correctly, we must ensure that it is current and contains the correct information. Should this not be the case, there is a risk that decisions made could be invalidated.

## **7. REASONS FOR THE RECOMMENDED DECISIONS**

- 7.1 Should the Committee approve the amended scheme of delegation, this will enable officers operating in the amended structure to be able to utilise legislation available to them and where appropriate, take action to address unauthorised or illegal activity.

## **8. LIST OF APPENDICES INCLUDED**

Appendix 1 – Powers delegated by or on the recommendation of the Licensing and Protection Committee (Environmental health and Community Action Team).

## **9. BACKGROUND PAPERS**

Scheme of Delegation to Officers report dated 19<sup>th</sup> July 2016

Scheme of Delegation to Officers report dated 25<sup>th</sup> January 2024

## **CONTACT OFFICER**

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## Appendix 1

### POWERS DELEGATED BY OR ON THE RECOMMENDATION OF THE LICENSING AND PROTECTION COMMITTEE

#### Environmental Health and Community Action Team (Approved on )19<sup>th</sup> March 2025

Source	The Power Delegated	Delegated to	Date of Delegation	Remarks
Prevention of Damage by Pests Act 1949	To enter on to land or premises for the purposes of inspection etc	Public Protection Manager, Environmental Health Officers, Community Action Team Officers Pest Control Officers	29.01.74	
Prevention of Damage by Pests Act 1949	To enter on to land or premises for the purposes of the Act	Pest Control Officers, Environmental Health Officers and Community Action Team Officers	29.01.74	
Public Health Act 1936	To deal with licensing of movable dwellings and camping sites	Public Protection Manager	17.06.75	
Highways Act 1980 (S.179)	To issue consent or to serve such notices as may be considered appropriate in relation to construction under streets in accordance with S.179 of the Act	Operations General Manager	12.10.82	After consultation with the Chair of the Committee.
Food Safety Act 1990	(a) To institute legal proceedings for contraventions of the Act and any re-enactment, amendment or modification thereof or any regulations made thereunder	Public Protection Manager	18.09.90	After consultation with the Chair and Vice-Chair of the Committee
	(b) To authorise, in writing, Environmental Health Officers and any other persons he/she may determine to act as authorised officers either generally or specifically in matters arising under the Act	Public Protection Manager		

Under Review

Environmental Protection Act 1990	To undertake duties, serve Notices and institute legal proceedings for non-compliance with Statutory Notices under Part III of the Act	Public Protection Manager, Environmental Health Officers	15.01.91	
Food Safety Act 1990: Quick Frozen Foodstuffs Regulations 1990	To undertake prosecutions for contravention	Public Protection Manager	17.09.91	After consultation with the Chair and Vice-Chair of the Committee.
Slaughter of Poultry Act 1967 (as amended by Animal Welfare Act 1984)	To appoint suitably qualified persons to act as Welfare Supervisory Officers	Public Protection Manager	03.12.91	
Slaughter of Poultry (Licences and specified qualifications) Regulations 1991	To grant, renew, modify, refuse, suspend or revoke a licence for the slaughter of poultry	Public Protection Manager	03.12.91	
Slaughter of Poultry (Licences and specified qualifications) Regulations 1991	To institute legal proceedings for alleged contraventions	Public Protection Manager	03.12.91	After consultation with the Chair and Vice-Chair of the Committee
Noise and Statutory Nuisance Act 1993 (Section 8 & Schedule 2)	To determine applications in respect of loud-speakers in streets between 9 pm and 8 am	Public Protection Manager	01.03.94	After consultation with the Chair and Vice-Chair of the Committee
Noise and Statutory Nuisance Act 1993 (Section 8 & Schedule 2)	To appoint contractors to act as agents for the Council in towing away vehicles and equipment causing a nuisance and impounding them until reclaimed	Public Protection Manager	01.03.94	
Noise and Statutory Nuisance Act 1993 (Section 8 & Schedule 2)	To sign noise abatement notices on behalf of the Council	All officers authorised under the Environmental Protection Act 1990 to take action in respect of statutory nuisances	01.03.94	
Environmental Protection Act 1990	To appoint authorised persons under the Act	Public Protection Manager	17.09.96	



Environment Act 1995	To institute legal proceedings for offences under the Act	Public Protection Manager	17.09.96	After consultation with the Chair and Vice-Chair of the Committee.
Food Safety Act 1990: Quick Frozen Foodstuffs Regulations 1990	To appoint, in writing, an Environmental Health Officer and any other person as he may determine to act as authorised Officers either generally or specifically in matters arising under the Regulations	Public Protection Manager	17.09.91	
Environmental Protection Act 1990 (Part 11A) and Environment Act 1995	To exercise the powers of entry, inspection and investigation and to serve notices	Public Protection Manager	20.09.00	
Environmental Protection Act 1990 (Part 11A) and Environment Act 1995	To exercise powers and duties under the Act	Public Protection Manager	20.09.00	
Environmental Protection Act 1990 (Part 11A)	To maintain a public register of the Council's regulatory activity	Public Protection Manager	20.09.00	
Environmental Protection Act 1990 (Part 11A) and Environment Act 1995	To institute legal proceedings under the Acts	Public Protection Manager	20.09.00	After consultation with the Chair and Vice-Chair of the Committee
Environmental Protection Act 1990 (Part 11A) and Environment Act 1995	To carry out urgent remedial action under the Acts where there is an imminent danger of serious harm in that circumstances exist which are likely to endanger life or harm or cause pollution of controlled waters	Public Protection Manager	20.09.00	After consultation with the Chair and Vice-Chair of the Committee
Pollution Prevention and Control Act 1999	To carry out the following functions under the Act -  (i) the determination of applications for the grant, variation and transfer of permits and accompanying conditions;	Public Protection Manager	20.09.00	

- (ii) the collection of fees as determined by the DETR;
- (iii) the suspension and revocation of permits and service of notices; and
- (iv) the variation and enforcement of permit conditions, taking of samples and the taking of remedial action at the expense of the permit holder

Pollution Prevention and Control Act 1999	To appoint suitably qualified persons to exercise the powers and duties conferred by the Act	Public Protection Manager	20.09.00	
Environment Act 1995	To exercise powers of entry under Section 108(4) of the Act	Appointed Officers	20.09.00	
Pollution, Prevention and Control Act 1999	To institute legal proceedings under the Act and Regulations	Public Protection Manager	20.09.00	After consultation with the Chair and Vice-Chair of the Committee
Products of Animal Origin (Import and Export) Regulations 1996 as amended by the Products of Animal Origin (Import and Export) (Amendment) Regulations 2001	To appoint suitably qualified Officers to carry out the duties specified under the legislation	Public Protection Manager	20.03.02	
Products of Animal Origin (Import and Export) Regulations 1996 as amended by the Products of Animal Origin (Import and Export) (Amendment) Regulations 2001	To institute legal proceedings for contravention of the Regulations	Public Protection Manager		After consultation with the Chair, (or in his absence, the Vice-Chair) of the Licensing and Protection Committee

Meat Enforcement Regulations 2000 (Enhanced Powers)	To appoint suitably qualified Officers to carry out the duties specified under the Regulations	Public Protection Manager	20.03.02	
Deer Act 1991	To appoint suitably qualified Officers to undertake the duties specified under the legislation	Public Protection Manager	20.03.02	
Deer Act 1991	To institute legal proceedings for contravention of the Regulations	Public Protection Manager		After consultation with the Chair, (or in his absence, the Vice-Chair) of the Licensing and Protection Committee
Health and Safety at Work (etc) Act 1974 (S19 and 20)	To appoint suitably qualified Officers as Inspectors to carry out the duties specified under Section 19 of the Act	Public Protection Manager	20.03.02	
Health and Safety at Work (etc) Act 1974 (S19 and 20)	To exercise discretion as to the extent of the powers granted to individual inspectors under Section 20 in accordance with the statutory guidance issued by the Health and Safety Commission	Public Protection Manager		
Health and Safety at Work (etc) Act 1974 (S19 and 20)	To authorise other persons to accompany duly authorised Officers appointed under Section 19 and Section 20 (2)(c)(1) of the Act, where necessary, on inspections for the purposes of the Act	Officers appointed under Section 19 of the Health and Safety at Work (etc) Act 1974		
Health and Safety at Work (etc) Act 1974 (S19 and 20)	To institute legal proceedings in the Magistrates Court under any of the relevant statutory provisions defined in the Act	Inspectors appointed under Section 19 of the Health and Safety at Work (etc) Act 1974 following the approval of the Head of Planning, Infrastructure and Public Protection or the Corporate Director, (Place)		After consultation with the Chair, (or in his absence, the Vice-Chair) of the Licensing and Protection Committee
Health and Safety at Work (etc) Act 1974 (S19 and 20)	To institute legal proceedings in the Crown Court for contraventions of the Health and	Public Protection Manager		After consultation with the Chair, (or in his

	Safety at Work (etc) Act 1974 and any re-enactment, amendment or modification thereof and any Regulations made thereunder			absence, the Vice-Chair) of the Licensing and Protection Committee
Regulation of Investigatory Powers Act 2000 (RIPA)	To designate appropriate Officers to discharge the powers and duties of the Council as set out in the Act and any Codes of Practice and Regulations made thereunder	Corporate Director (Finances and Resources) or, her absence, the Legal Services Manager	17.09.02	
Transmissible Spongiform Encephalopathies (England) Regulations 2002	To designate appropriate Officers to discharge the duties and powers of the Council as set out in the Regulations	Public Protection Manager	24.06.03	
Pollution and Prevention Control (England and Wales) Regulations 2000	To respond to statutory consultation under the Regulations	Public Protection Manager	01.08.03	After consultation with the Chair and Vice-Chair of the Licensing and Protection Committee
European Communities Act 1972	To appoint suitably qualified Officers to carry out the duties conferred upon the Council in the Act and Regulations	Public Protection Manager	15.10.03	
European Communities Act 1972	To institute legal proceedings for offences arising from the Act and Regulation	Public Protection Manager		After consultation with the Chair, or in his absence, the Vice-Chair of the Licensing and Protection Committee
Products of Animal Origin (Third Country Imports) (England) Regulations 2011	To appoint appropriate Officers to discharge the powers and duties under the Regulations	Public Protection Manager	15.10.03	
Products of Animal Origin (Third Country Imports) (England) Regulations 2011	To institute legal proceedings under the Regulations	Public Protection Manager		After consultation with the Chair, or in his absence, the Vice-Chair of the Licensing and Protection Committee

The Imported Regulations 1997	Food	To appoint appropriate Officers to carry out duties and powers under the Regulations	Public Protection Manager	15.10.03	
The Imported Regulations 1997	Food	To institute legal proceedings under the Regulations	Public Protection Manager		After consultation with the Chair, or in his absence, the Vice-Chair of the Licensing and Protection Committee
The Product of Animal Origin (Third Country Imports) (England) Regulations 2003 as amended by The Products of Animal Origin (Third Country Imports) (England) Amendment Regulations 2004 and any further amendment thereafter		To appoint appropriate Officers to carry out the duties and other matters conferred upon the Council by the Regulations	Public Protection Manager	17.02.04	
The Product of Animal Origin (Third Country Imports) (England) Regulations 2003 as amended by The Products of Animal Origin (Third Country Imports) (England) Amendment Regulations 2004 and any further amendment thereafter		To institute legal proceedings under the Regulations and any further amendments thereto	Public Protection Manager		After consultation with the Chair, or in his absence, the Vice-Chair of the Licensing and Protection Committee
The Noise Act 1996 as amended by the Anti-Social Behaviour Act 2003		To appoint Officers to investigate complaints of night time noise and to issue warnings or fixed penalty notices	Public Protection Manager	12.05.04	
The Noise Act 1996 as amended by the Anti-Social Behaviour Act 2003		To institute legal proceedings under the Act for failure to comply	Public Protection Manager	12.05.04	After consultation with the Chair, or in his absence, the Vice-Chair

Health Act 2006	To appoint suitably qualified, experienced and trained Officers to carry out the duties and other matters arising under Part 1 of the Health Act 2006 and associated Regulations	Public Protection Manager	13.06.07	of the Licensing and Protection Committee
Health Act 2006	To institute legal proceedings under the Act and associated Regulations	Public Protection Manager	13.06.07	After consultation with the Chair (or in his absence, the -Chair) of the Committee
Food Hygiene (England) Regulations 2006	To appoint suitably qualified officers	Public Protection Manager	19.01.06	
Food Hygiene (England) Regulations 2006	To institute legal proceedings for contravention of the Regulations	Public Protection Manager	19.01.06	After consultation with Chair (or in his absence, the Vice-Chair) of the Committee
Official Food and Feeds Controls (England) Regulations 2006	To appoint suitably qualified, experienced and trained officers to carry out duties under the Regulations	Public Protection Manager	19.01.06	
Official Food and Feeds Controls (England) Regulations 2006	To institute legal proceedings under the Regulations	Public Protection Manager	19.01.06	After consultation with Chair (o in his absence, the Vice-Chair) of the Committee
Environmental Damage (Prevention and Remediation) Regulations 2009	To appoint Environmental Health Officers and Environmental Protection Officers to enforce the provisions of the Regulations	Public Protection Manager	19.03.09	
Environmental Damage (Prevention and Remediation) Regulations 2009	To initiate prosecutions under the Environmental Damage (Prevention and Remediation) Regulations 2009	Public Protection Manager	19.03.09	After consultation with the Chair of the Licensing and Protection Committee (or in his absence, the Vice-Chair)

Ozone Depleting Substances (Qualifications) 2009	To appoint Environmental Health Officers and Environmental Protection Officers as 'authorised persons' to enforce the provisions of the Ozone Depleting Substances (Qualifications) Regulations 2009	Public Protection Manager	27.10.09	
Ozone Depleting Substances (Qualifications) 2009	To initiate prosecutions under the Ozone Depleting Substances (Qualifications) Regulations 2009	Public Protection Manager	27.10.09	With prior agreement of the Chair or Vice-Chair of the Licensing and Protection Committee
Fluorinated Greenhouse Gases Regulations 2009	To appoint Environmental Health Officers and Environmental Protection Officers to enforce the provisions of the Fluorinated Greenhouse Gases Regulations 2009	Public Protection Manager	27.10.09	
Fluorinated Greenhouse Gases Regulations 2009	To initiate prosecutions under the Fluorinated Greenhouse Gases Regulations 2009	Public Protection Manager	27.10.09	With prior agreement of the Chair or Vice-Chair of the Licensing and Protection Committee
Regulatory Enforcement Sanctions Act 2008	To review the Food Safety Enforcement Policy and Health and Safety Enforcement Policy as appropriate	Public Protection Manager	27.10.09	After consultation with the Chair or Vice-Chair of the Licensing and Protection Committee
Regulatory Enforcement Sanctions Act 2008	To review enforcement policies with regard to the Act and to introduce necessary changes to policies as appropriate	Relevant Heads of Service	27.10.10	After consultation with the relevant Executive Councillor
Health and Social Care Act 2008	To appoint Environmental Health Officers and Environmental Protection Officers as 'authorised persons' to enforce the provisions of the Regulations and to make applications to the Magistrates Court as appropriate	Public Protection Manager	16.06.10	
Health and Social Care Act 2008	To initiate prosecutions for offences under the Regulations	Public Protection Manager	16.06.10	After consultation with the Chair or Vice-Chair

						of the Licensing and Protection Committee
Private Water Supply Regulations 2009	To appoint Environmental Health Officers and Environmental Protection Officers as 'authorised persons' to enforce the provisions of the Act	Public Protection Manager		16.06.10		
Private Water Supply Regulations 2009	To initiate prosecutions under the Act	Head of Planning, Infrastructure and Public Protection		16.06.10		After consultation with the Chair or Vice-Chair of the Licensing and Protection Committee
Sunbeds (Regulations) Act 2010	To appoint Environmental Health Officers and Environmental Health Protection Officers as 'authorised persons' to enforce the provisions of the Act	Corporate Director (Place)		09.06.11		
Sunbeds (Regulations) Act 2010	To initiate prosecutions under the Act	Public Protection Manager		09.06.11		After consultation with the Chair of the Committee
Environmental Protection (Controls on Ozone Depleting Substances) Regulations 2011	To appoint Environmental Health Officers and Environmental Protection Officers as 'authorised persons' to enforce the provisions of the Environmental Protection (Controls on Ozone Depleting Substances) Regulations 2011	Public Protection Manager		26.10.11		
Environmental Protection (Controls on Ozone Depleting Substances) Regulations 2011	To initiate prosecutions under the Environmental Protection (Controls on Ozone Depleting Substances) Regulations 2011	Public Protection Manager				After consultation with the Chair and Vice-Chair of the Licensing and Protection Committee



Animal By Products (Enforcement) (England) Regulations 2011 Official Feed and Food Controls (England) Regulations 2009 Official Controls (Animals, Feed and Food) (England) Regulations 2006	To appoint Environmental Health Officers and Environmental Health Protection Officers as authorised persons to enforce the provisions of the Regulations 2006	Public Protection Manager	25.01.12	
Animal By Products (Enforcement) (England) Regulations 2011 Official Feed and Food Controls (England) Regulations 2009 Official Controls (Animals, Feed and Food) (England) Regulations 2006	To initiate prosecutions under the Regulations	Public Protection Manager	25.01.12	After consultation with the Chair and Vice-Chair of the Licensing and Protection Committee
Local Government Act 1972	To convene meetings of the Applications Sub-Group comprising four Members of the Panel to determine such matters in the case of an individual licence or application which have not been delegated to Officers	Elections and Democratic Services Manager	13.06.07	

Food Safety and Hygiene (England) Regulations 2013	To appoint suitably qualified and competent persons to act as authorised persons to enforce the provisions of the Regulations	Public Protection Manager	28.01.14	
Food Safety and Hygiene (England) Regulations 2013	To initiate prosecutions under the Regulations	Public Protection Manager		After consultation with the Chair and Vice-Chair of the Committee
Food Information Regulations 2014	To create and maintain policies and procedures under the Regulations.	Public Protection Manager	6.11.14	After consultation with the Executive Councillor for Strategic Economic Development and Legal.
Food Information Regulations 2014	For the purposes of enforcement of the Food Information Regulations 2014, to appoint such other officers as considered appropriate to initiate legal proceedings for offences under the Regulations.	Public Protection Manager	6.11.14	After consultation with the Legal Services Manager.
Energy Act 2003, Smoke and Carbon Monoxide Alarm (England) Regulations 2015	For the purposes of enforcement of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015	Public Protection Manager	21.6.2016	
Energy Act 2003, Smoke and Carbon Monoxide Alarm (England) Regulations 2015	For the publishing and review of a statement of principles governing the application of the penalty charge regime	Public Protection Manager	21.6.2016	After consultation with the relevant Executive Councillor
Enterprise and Regulatory Reform Act 2013, Redress Scheme for Lettering Agency Work and property Management Work (Requirements to Belong to a Scheme) (England) Order 2014	For the purposes of enforcement of the Redress Scheme for Lettering Agency Work and property Management Work (Requirements to Belong to a Scheme) (England) Order 2014	Public Protection Manager	21.6.2016	

Enterprise and Regulatory Reform Act 2013, Redress Scheme for Lettering Agency Work and property Management Work (Requirements to Belong to a Scheme) (England) Order 2014	For the purposes of determining the value of the penalty charge for failure of a business to be a member of an approved scheme	Public Protection Manager	21.6.2016	After consultation with the relevant Executive Councillor
Mobile Homes Act 2013	To appoint suitably qualified and competent persons to act as authorised persons to determine and issue licences and enforce the provisions of the Act	Public Protection Manager	28.01.14	
Mobile Homes Act 2013	To initiate prosecutions under the Act	Public Protection Manager	28.01.14	After consultation with the Chair and Vice-Chair of the Committee
Mobile Homes Act 2013	To publish a fees policy, determine fees and undertake an annual review	Public Protection Manager	28.01.14	After consultation with the Chair and Vice-Chair of the Committee.
Caravan Sites and Control of Development Act 1960	To appoint suitably qualified and competent persons to act as authorised persons to determine and issue licences and enforce the provisions of the Act	Public Protection Manager		
Caravan Sites and Control of Development Act 1960	To initiate prosecutions under the Act	Public Protection Manager		
Anti-Social Behaviour Crime and Policing Act 2014	To appoint Community Protection and Enforcement Officers and Environmental Health Officers as 'authorised persons' to enforce the provisions of the Act	Public Protection Manager	6.11.14	

Anti-Social Behaviour Crime  
and Policing Act 2014

To create and maintain policies and  
procedures arising from the Public Space  
Protection Orders under the 2014 Act

Public Protection Manager

6.11.14

After consultation with  
the Executive Councillor  
for Strategic Economic  
Development and Legal

Refuse Disposal (Amenity)  
Act 1978

To appoint suitably qualified officers to  
implement the provisions under the Act

Public Protection Manager



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## APPENDIX A

### POWERS DELEGATED BY OR ON THE RECOMMENDATION OF THE LICENSING AND PROTECTION COMMITTEE

(Approved March 2025)

Source	The Power Delegated	Delegated to	Date of Delegation	Remarks
Local Government (Miscellaneous Provisions) Act 1976	To determine transfers of hackney carriage plates	Public Protection Manager	24.01.78	
Local Government (Miscellaneous Provisions) Act 1976	To determine applications for private hire and hackney carriage vehicle licences, private hire and hackney carriage driver's licences known as Dual licenses, and private hire operators' licences	Public Protection Manager	23.01.79	
Local Government (Miscellaneous Provisions) Act 1976	To determine applications for private hire driver's licences	Public Protection Manager	28.09.2022	
Local Government (Miscellaneous Provisions) Act 1976	To refuse or suspend hackney carriage, private hire driver in line with policy and legislative parameters	Public Protection Manager	23.01.79	
Local Government (Miscellaneous Provisions) Act 1976	To suspend or revoke hackney carriage and private hire driver licences under LGMPA S.61 (2B) (Immediate risk to public)	Public Protection Manager	19.06.19	
Local Government (Miscellaneous Provisions) Act 1976	To revoke private hire and hackney carriage driver's licences,	Public Protection Manager	19.06.19	After consultation with the Chair and Vice-Chair of the Committee.

Local (Miscellaneous Act 1976	Government Provisions)	To refuse or suspend hackney carriage, private hire vehicle licenses in line with policy and legislative parameters	Public Protection Manager	23.01.1979	
Local (Miscellaneous Act 1976	Government Provisions)	To revoke private hire and hackney carriage vehicle licences	Public Protection Manager	19.06.19	After consultation with the Chair and Vice-Chair of the Committee.
Local (Miscellaneous Act 1976	Government Provisions)	To refuse or suspend private hire operator licences in line with policy or legislative parameters	Public Protection Manager	19.06.19	
Local (Miscellaneous Act 1976	Government Provisions)	To revoke private hire operator licences	Public Protection Manager	19.06.19	After consultation with the Chair and Vice-Chair of the Committee.
Local (Miscellaneous Act 1976	Government Provisions)	To review the penalty points system for private hire operators, proprietors, and drivers in light of changes to legislation	Licensing Manager	09.06.11	
Local (Miscellaneous Act 1976	Government Provisions)	To determine the scale of fees for advertising on digital display screens (fitted to the front headrests of hackney carriage and private hire vehicles)	Licensing Manager	19.07.2022	After consultation with the Head of Service and Executive Portfolio Holder.



Reviewed March  
2025

Licence Type	Legislation/Act	Legislation/Act	The Power Delegated	Delegated to	Date of Delegation	Remarks
Street Collections & Charity Stalls	Police, Factories etc. (Miscellaneous Provisions) Act 1916 (as amended) -	<a href="#">Police, Factories, &amp; c. (Miscellaneous Provisions) Act 1916 (legislation.gov.uk)</a>	To determine permits for street collections and charity stalls	Public Protection Manager	04.10.83	
House to House	House to House collections Act 1939 and Regulations 1947	<a href="https://www.legislation.gov.uk/ukpga/Geo6/2-3/44">https://www.legislation.gov.uk/ukpga/Geo6/2-3/44</a>	To determine applications for house to house collections within the District	Public Protection Manager	17.01.84	
Hackney Carriage & Private Hire	Local Government (Miscellaneous Provisions) Act 1976 (Part II)	<a href="#">Local Government (Miscellaneous Provisions) Act 1976 (legislation.gov.uk)</a>	To make the necessary arrangements for the inspection and testing of Hackney Carriage and Private Hire vehicles	Public Protection Manager	15.01.85	
	Local Government (Miscellaneous Provisions) Act 1976		To instigate proceedings through the court for contravention of any section relating to the Hackney Carriage and Private Hire vehicles.	Public Protection Manager	13.12.93	After consultation the Chair of Committee
	Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847	<a href="#">Local Government (Miscellaneous Provisions) Act 1976 (legislation.gov.uk)</a>	To refuse to grant/revoke or suspend Hackney Carriage Vehicle, Private Hire Vehicle, Private Hire Operator, Hackney Carriage Driver, Private Hire Driver	Public Protection Manager		
	Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847	<a href="#">Town Police Clauses Act 1847 (legislation.gov.uk)</a>	To determine whether a DSA driver's assessment for private hire or hackney carriage or future equivalent test should be undertaken in circumstances where there are serious concerns as to the fitness of an existing driver to hold a licence with each case considered on its merits	Public Protection Manager	26.10.11	
Licensed vehicles - Smoking in work places	Health Act 2006 S1-12 and schedule 2	<a href="#">Health Act 2006 (legislation.gov.uk)</a>	To enforce smoke free places premises and vehicles.	Public Protection Manager	30.05.2007	

SEV's	Local Government (Miscellaneous Provisions) Act 1982 (Schedule 3)	<a href="#">Local Government (Miscellaneous Provisions) Act 1982 (legislation.gov.uk)</a>	To determine applications for the grant, renewal, variation or transfer of licenses for sex shops, sex cinemas and sexual entertainment venues	Public Protection Manager	24.06.14	In the event of objectors being received, the Licensing and Protection Sub-Committee be authorised to determine the application
Street Trading	Local Government (Miscellaneous Provisions) Act 1982 (Schedule 4)	<a href="#">Local Government (Miscellaneous Provisions) Act 1982 (legislation.gov.uk)</a>	To grant licenses for street trading	Public Protection Manager	11.03.85	
	Local Government (Miscellaneous Provisions) Act 1982	<a href="#">Local Government (Miscellaneous Provisions) Act 1982 (legislation.gov.uk)</a>	To instigate proceedings through the courts for contravention of the street trading legislation contained in the Act	Public Protection Manager	02.12.2009	
	Local Government (Miscellaneous Provisions) Act 1982	<a href="#">Local Government (Miscellaneous Provisions) Act 1982 (legislation.gov.uk)</a>	To determine applications for street trading licenses/consents and to revoke licenses	Public Protection Manager	02.12.09	Where the Licensing Manager is minded to refuse an application for a licence or to revoke an existing licence and the application or licence holder, as appropriate, indicates that they wish to submit representations, the Licensing and Protection Sub-Committee be authorised to determine the application or revoke the licence respectively after hearing the
Animal Welfare - General	Animal Welfare Act 2006	<a href="#">Animal Welfare Act 2006 (legislation.gov.uk)</a>	To authorise prosecutions for alleged contraventions under this legislation	Public Protection Manager	08.11.2006	After consultation with Chair and Vice-Chair of the Committee
	Animal Welfare Act 2006	<a href="#">Animal Welfare Act 2006 (legislation.gov.uk)</a>	The Powers of the Council under the Act including issuing improvement notices	Public Protection Manager	08.11.2006	
	Animal Welfare Regulations 2018	<a href="#">The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (legislation.gov.uk)</a>	To appoint persons and to act for and on behalf of the Council in all matters arising from the Acts in circumstances where consideration is being given to the revocation of a licence	Public Protection Manager	01.10.2018	

	Animal Welfare Regulations 2018	<a href="#">The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (legislation.gov.uk)</a>	To act for the Council in cases involving revocation of a licence	Public Protection Manager	01.10.2018	
	Animal Welfare Regulations 2018	<a href="#">The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (legislation.gov.uk)</a>	To authorise prosecutions for alleged contraventions under the Act	Public Protection Manager	01.10.2018	After consultation with Chair (or in his absence, the Vice- Chair) of the Committee
Dangerous Wild Animals	Dangerous Wild Animals Act 1976	<a href="#">Dangerous Wild Animals Act 1976 (legislation.gov.uk)</a>	The Powers of the Council under the Act including licensing of individuals to keep specific animals	Public Protection Manager	18.01.77	
Zoo's	Zoo Licensing Act 1981	<a href="#">Zoo Licensing Act 1981 (legislation.gov.uk)</a>	To appoint Inspectors and to act for and on behalf of the Council in all matters arising from the Act except in those cases where objections to the grant or renewal of a licence are received or consideration is being given to the revocation of a licence	Public Protection Manager	04.06.91	
	Zoo Licensing Act 1981	<a href="#">Zoo Licensing Act 1981 (legislation.gov.uk)</a>	To act for the Council in cases involving an objection to the grant or renewal of a licence	Public Protection Manager	04.06.91	After consultation with the Chair and Vice-Chair of the Committee
Pavement	Business and Planning Act 2020(Pavement Licenses)	<a href="#">Business and Planning Act 2020 (legislation.gov.uk)</a>	To determine applications including the refusal and revocation in line with the Council Powers under the Act	Public Protection Manager	19.08.2020	
Hypnotism	Hypnotism Act 1952	<a href="#">Hypnotism Act 1952 (legislation.gov.uk)</a>	To determine applications including the refusal and revocation in line with the Council Powers under the Act	Public Protection Manager	16.11.2000	

	Local Government Act 1972	<a href="http://legislation.gov.uk">Local Government Act 1972 (legislation.gov.uk)</a>	To convene meetings of the Licensing and Protection Sub-Committee comprising four Members of the Panel to determine such matters in the case of an individual licence or application which have not been delegated to Officers	Elections and Democratic Services Manager	13.06.07	
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