

**PART 3**

**SCHEDULE 4A PART 2**

The councils regulatory functions in relation to planning, licensing and other regulatory matters will be exercised in accordance with express delegations below.

The Head of Environment and Regulation is authorised to

*In respect of trading standards, environmental health and related functions and responsibilities:*

- (1) Subject to paragraph (2) below, take any action under any relevant legislation (and related statutory instruments) including, where relevant (but not limited to), the **issue and service of notices and orders**, the appointment of persons, the issue of licences and authorisations and the approval of registrations, prior consents and grants; acceptance of statutory notifications; to apply for warrants, to seize and detain goods and documents and carry out test purchases of goods and services relating to trading standards, environmental health, environmental protection, food safety, licensing and health and safety matters.

Relevant legislation under this paragraph shall include but is not limited to:

Accommodation Agencies Act 1953  
Administration of Justice Act 1970  
Agriculture Act 1970  
Agriculture (Miscellaneous Provisions) Act 1968  
Agriculture Produce (Grading and Marking) Acts 1928 and 1931  
Animal Boarding Establishments Act 1963  
Animal Health Act 1981  
Animal Health Act 2002  
Animal Health (Amendment) Act 1998  
Animal Health and Welfare Act 1984  
Animal Welfare Act 2006.  
Animals Act 1971  
**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  
Business Names Act 1985  
Business Protection from Misleading Marketing Regulations 2008  
Caravan Sites Act, 1968  
Caravan Sites and Control of Development Act 1960  
Charities Act 1992  
Children and Young Persons Act 1933  
Children and Young Persons (Protection from Tobacco) Act 1991

Chronically Sick and Disabled Persons Act, 1970  
Clean Air Act 1993  
Clean Neighbourhoods and Environment Act 2005  
Companies Act 2006  
Company Directors Disqualification Act 1986  
Competition Act 1980  
Consumer Credit Act 1974, 2006 and 2009  
Consumer Protection Act 1987  
Consumer Protection from Unfair Trading Regulations 2008  
Consumer Protection (distance selling) Regulations 2000  
Control of Pollution Act 1974  
Copyright Designs and Patents Act 1988  
Copyright etc and Trade Marks Offences and Enforcement Act 2002  
County of Merseyside Act 1980  
Courts and Legal Services Act 1990  
Criminal Attempts Act 1981  
Criminal Damage Act 1971  
Criminal Justice Act 1988  
Criminal Law Act 1977  
Dangerous Dogs Acts 1989 and 1991  
Dangerous Wild Animals Act 1976  
Defective Premises Act 1972  
Development of Tourism Act 1969  
Dogs Act 1871 and 1906  
Dogs (Fouling of Land) Act 1996  
Education Reform Act 1988  
Employment Agencies Act 1973  
Energy Act 1976  
Energy Conservation Act 1981  
Enterprise Act 2002  
Environment Act 1995  
Environmental Protection Act 1990  
Estate Agents Act 1979  
European Communities Act 1972  
Explosives Act 1875  
Factories Act 1961  
Fair Trading Act 1973  
Farm and Garden Chemicals Act 1967  
Food Act 1984  
Food and Environment Protection Act 1985  
Food Safety Act 1990  
Forgery and Counterfeiting Act 1981  
Fraud Act 2006  
Gambling Act 2005  
Guard Dogs Act 1975  
Hallmarking Act 1973  
Health and Safety at Work etc. Act 1974

Health and Social Care Act 2012  
Health Act 2006  
Home Energy Conservation Act 1995  
Housing Acts 1980, 1985, 1988, 1996 and 2004  
Housing and Building Control Act 1984  
Housing Grants, Construction and Regeneration Act 1996  
Intoxicating Substances (Supply) Act 1985  
Land Compensation Act 1973  
Landlord and Tenant Acts 1954, 1985 and 1987  
Licensing Act 2003  
Litter Act 1983  
Local Government Act 1972  
Local Government Act 1988  
Local Government and Housing Act 1989  
Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
Medicines Act 1968  
Merchant Shipping Acts 1979/1995  
Mobile Homes Act, 2010  
Mock Auctions Act 1961  
Motor Cycle Noise Act 1987  
Motor Vehicles (Safety Equipment for Children) Act 1991  
Noise and Statutory Nuisance Act 1993  
Noise Act 1996  
Nursing Agencies Act 1957  
Offensive Weapons Act 1996  
Offices, Shops and Railway Premises Act 1963  
Olympic Symbol Act 1995  
Opticians Act 1989  
Performing Animals (Regulation) Act, 1925  
Pet Animals Act 1951  
Poisons Act 1972  
Police and Criminal Evidence Act 1984  
Police Reform Act 2000  
Pollution Prevention and Control Act 1999  
Powers of Criminal Courts (Sentencing) Act 2000  
Prevention of Damage by Pests Act 1949  
Prices Acts 1974 and 1975  
Protection of Animals (Amendment) Acts 1988 and 2000  
Protection from Eviction Act, 1977  
Protection of Birds Acts 1954 to 1976  
Public Health Acts 1875, 1936, 1961 and 1969  
Public Health (Control of Diseases) Act 1984  
Radioactive Substances Act 1993  
Regulation of Investigatory Powers Act, 2000  
Refuse Disposal (Amenity) Act 1978  
Rent Act, 1977  
Riding Establishments Acts 1964 and 1970

Road Traffic Acts 1988 and 1991  
Road Traffic (Consequential Provisions) Act 1988  
Road Traffic (Foreign Vehicles) Act 1972  
Road Traffic Offenders Act 1988  
Solicitors Act 1974  
Sunbeds (Regulation) Act 2010  
Sunday Trading Act 1994  
Telecommunications Act 1984  
Theft Acts 1968 and 1978  
The Cancellation of Contracts made in a Consumer's Home or place of work etc, Regulations 2008  
Timeshare Act 1992  
Town Police Clauses Acts 1847 and 1889  
Trade Marks Act 1994  
Trading Representations (Disabled Persons) Acts 1958 and 1972  
Trading Stamps Act 1964  
Unsolicited Goods and Services Acts 1971 and 1975  
Vehicles (Crime) Act 2001  
Video Recordings Act 1984/1993  
Water Act, 1989  
Water Industry Act 1991  
Weights and Measures Acts 1976 and 1985  
Zoo Licensing Act 1981

and any legislation amending or replacing the above (including Statutory Instruments)

(6) Issue fixed penalty notices for leaving litter *or for breaching any notice or order.*

(15) ***Authorise relevant officers throughout the Council to issue Community Protection Notices for leaving litter and other related matters affecting the quality of life of persons in Wirral***

*In respect of licensing and registration functions:*

(16) Determine and otherwise deal with the following matters, provided that controversial matters must be submitted to the Licensing, Health and Safety and General Purposes Committee or Licensing Panel or Licensing Act 2003 Committee:

(i) Premises Licenses;

## Appendix 2

- (ii) Scrap Metal Dealers Registration;
- (iii) Street Collection Licences and House to House collection permits;
- (iv) Club Premises Certificates;
- (v) Temporary Event Notices;
- (vi) License premises for gambling activities;
- (vii) Notices given for temporary use of premises for gambling;
- (viii) Grant permits for gaming and gaming machines in clubs and miner's welfare institutions;
- (ix) Regulate gaming and gaming machines in alcohol licensed premises;
- (x) Grant permits to family entertainment centres;
- (xi) Grant permits for prize gaming;
- (xii) Consider occasional use notices for betting at tracks;
- (xiii) Register small societies' lotteries;
- (xiv) The enforcement of the provisions of the Gambling Act 2005;
- (xv) Personal Licenses;
- (xvi) Registration of second-hand dealers;
- (xvii) Certificates of Consent for all public exhibitions, demonstrations or performances of hypnotism;
- (xviii) Licences to hold civil marriage ceremonies on approved premises;
- (xix) Application for new (and renewal applications) for hackney carriage and private hire driver's licences, vehicle licences and operator's licences in accordance with guidelines, approved by the Licensing, Health and Safety and General Purposes Committee;
- (xx) The enforcement of conditions relating to the licensing of hackney carriage and private hire drivers licences, vehicle licences and operator's licences, as allowed in the Local Government (Miscellaneous Provisions) Act, 1976, including the suspension or revocation of driving licences, vehicle licences and operator's licences. (Any actions to be reported to the next meeting of the Licensing, Health and Safety and General Purposes Committee;

- (xxi) The enforcement of the provisions of the Licensing Act 2003
  - (xxii) The enforcement of all Hackney Carriage and Private Hire matters under the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.
  - (xxiii) Authorise members of staff in the Licensing Division to carry out enforcement functions as authorised officers under licensing legislation.
  - (xxiv) Personally, or through the Head of Law, Commence legal proceedings on behalf of the Council under licensing legislation.
  - (xxv) **Authorise relevant officers throughout the Council to issue and enforce Community Protection Notices and to enforce Public Spaces Protection Orders.**
- (17) In consultation with the **Head of Environment and Regulation (or his nominee)** and the three party spokespersons, to consider and determine applications for street trading consents or renewals thereof (including the imposition of such conditions as is considered reasonably necessary)

*In respect of Planning and related matters:*

- (b) **The Head of Regeneration & Planning is authorised to undertake the following functions and powers:**
- (16) **To exercise all the powers and duties under Parts 1-6 of the Anti-Social Behaviour, Crime and Policing Act 2014 save for the issue or extension of a Closure Notice to 48 hours where such power(s) shall be exercised by the Strategic Director for Environment and Regeneration (or his authorised nominee).**