

Anti-Social Behaviour and Environmental Enforcement Schedule

Legislation	Power	Delegated to
Anti Social Behaviour Crime and Policing Act		
	<i>Power to exercise the Council's functions and all enforcement powers under the Act, including:</i>	
Sections 1, 8, 10	Securing civil injunctions, variation thereof, and arrest warrant on suspected breach.	Head of Housing Operations; Head of Environmental Services; Head of Community Services and Major Projects; Head of Planning
Sections 43 and 45	Issuing community protection notices, including powers applicable where occupier/owner unascertainable	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Section 51	Seeking and executing warrants of entry to seize items used in commission of offences of non-compliance with a community protection notice	"Designated person" (has specific meaning, defined in Act)
Section 52	Issuing fixed penalty notices on reasonable belief of commission of offence of failure to comply with community protection notice	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Section 59, 60 and 61	Implementing, extending, varying and discharging public space protection orders	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Sections 76, 80, 82 and 83	Issuing closure notices of up to 24 hours, securing closure orders, extensions to and discharge of closure orders	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Sections 76 and 77	Issuing closure notices of up to 48 hours and extending closure notices by up to 24 hours	Executive Director or person designated by Executive Director for the purposes of Section 77(2)(b) / 77(4)(b)

Section 78	Issuing cancellation/variation notice (of closure notice)	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning. (Unless the closure notice was issued/extended by the Executive Director/person designated by Executive Director in accordance with Section 77(2)(b)/77(4)(b) above, in which case cancellation/variation notice to be signed by the person who signed the closure notice/extension or, if that person is not available, a person who could have signed the closure notice/extension).
Section 84	Commencing appeals in respect of all matters specified in Section 84	Borough Solicitor on the request of: Head of Housing Operations / Head of Environmental Services/ Head of Community Services & Major Projects / Head of Planning
Section 88	Applying to court for reimbursement of costs in connection with clearing/securing/maintaining premises subject to closure order	Borough Solicitor on the request of: Head of Housing Operations/ Head of Environmental Services/ Head of Community Services & Major Projects/ Head of Planning
	<i>appointing authorised Officers:</i>	
Section 47	to carry out remedial action on failure to comply with a requirement of a community protection notice and enter premises to the extent reasonably necessary for that purpose	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Section 63	for the purposes of Section 63 (to require a person not to consume alcohol or anything reasonably believed to be alcohol in breach of a public spaces protection order/ to surrender alcohol)	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning

Section 68	for the purposes of Section 68 (issuing fixed penalty notices on reasonable belief Section 63/Section 67 offence committed)	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Section 85	to exercise Section 85 powers to enforce closure orders	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Clean Neighbourhoods and Environment Act 2005		
	<i>Power to exercise the Council's functions and all enforcement powers under the Act, including:</i>	
Sections 3, 4, 5, 6, 7	Enforcement powers in respect of nuisance parking of vehicles including power to authorise officers to issue fixed penalty notices and power to require name and address.	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Refuse Disposal (Amenity) Act 1978		
	<i>Power to exercise the Council's functions and all enforcement powers under the Act, including:</i>	
Sections 2, 2A, 2B, 3, 8	Enforcement powers in respect of abandoning a vehicle or other thing, including power to authorise officers to issue fixed penalty notices, to require name and address, to remove vehicles, and to authorise persons in relation to power of entry	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning

Environmental Protection Act 1990		
	Power to exercise the Council's functions and all enforcement powers under the Act, including:	
Parts II and IV, and regulations made thereunder, Schedule 3A	Enforcement powers in respect of waste on land, litter, etc, and unauthorised distribution of free matter, including power to authorise officers to issue fixed penalty notices.	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Environment Act 1995		
	Power to exercise the Council's functions and all enforcement powers under the Act, including:	
	Power to authorise persons to exercise Section 108(4) powers	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Noise Act 1996	Power to exercise the Council's functions and all enforcement powers under the Act, including:	
	Power to exercise the Council's functions and all enforcement powers under the Act	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Town and Country Planning Act 1990	Power to exercise the Council's functions and all enforcement powers under the Act, including:	
Section 215	Issuing notice requiring proper maintenance of land).	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning

Section 216	Instituting proceedings for offence of non-compliance with notice	Borough Solicitor on the request of: Head of Housing Operations/ Head of Environmental Services/ Head of Community Services & Major Projects / Head of Planning
Local Government (Miscellaneous Provisions) 1982	Power to exercise the Council's functions and all enforcement powers under the Act, including:	
Sections 29-30	Works to prevent unoccupied buildings becoming a danger to public health	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Building Act 1984	Power to exercise the Council's functions and all enforcement powers under the Act, including:	
Sections 76-79	Works to defective, dangerous, ruinous or dilapidated buildings and neglected sites)	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Planning (Listed Buildings and Conservation Areas) Act 1990	Power to exercise the Council's functions and all enforcement powers under the Act, including:	
Section 48	Service of repairs notice requiring works that are reasonably necessary for the proper preservation of a listed building	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
Section 54 or 76	Works urgently necessary for the preservation of an unoccupied listed building or building in a conservation area	Head of Housing Operations; Head of Environmental Services; Head of Community Services & Major Projects; Head of Planning
All Acts within this schedule		

	Instituting proceedings for all offences under the Acts within this schedule and under regulations made under such Acts.	Borough Solicitor on the request of: Head of Housing Operations/ Head of Environmental Services/ Head of Community Services & Major Projects / Head of Planning
	Authorising officers to seek and execute warrants of entry under the Acts within this schedule and regulations made under such Acts	Head of Housing Operations/ Head of Environmental Services/ Head of Community Services & Major Projects / Head of Planning