

London Borough of Enfield

Council

1 July 2020

Subject: Approval of Delegated Authority of Enforcement powers

Cabinet Member: Cllr George Savva
Executive Director: Sarah Carey - Place

Key Decision: KD: 5110

Purpose of Report

1. This report sets out the delegated authority arrangements for approval within the Place and other Directorates, and updates arrangements in respect of changes within teams in Place and as a consequence of changes in legislation

Proposal(s)

2. To agree the delegated authorities outlined in this report and set out in detail at Appendices A - J. These appendices will be updated and managed by the Director of Law & Governance as required following any relevant legislative change that each respective service area will need to enforce.

Reason for Proposal(s)

3. This report updates previously agreed delegations to incorporate changes arising from changes in teams/structures within the Place Directorate and new legislation.

Relevance to the Council's Corporate Plan

4. Delegation of enforcement powers fully supports the Corporate Plan in the use of enforcement when needed for good quality homes, to support safe, strong and healthy communities and to support businesses in our economy.

Background

5. Legal proceedings are issued in the name of the Director of Law and Governance where legal services have conduct of the case. If the conduct of the case is under Executive Director, Directors, Head of Service or Team Leader within the Place Directorate, then proceedings are issued in their named designation as detailed in Appendices B and C paragraphs 1.3 and 1.11 and 1.35 and Appendix D-G paragraphs 1.3. Proceedings under the Health and Safety at Work Act 1974 are brought in the name of the Health and Safety Inspector appointed under Section 19 of the Act.

Main Considerations for the Council

6. This is an ongoing updating process to ensure that the Council has effectively and legally delegated its statutory powers to officers. Failure to have these powers effectively delegated could invalidate enforcement action taken.

Safeguarding Implications

7. No direct implications.

Public Health Implications

8. The proper delegation of enforcement powers ensures that officers are able to take enforcement action on safety, health and environmental matters and will therefore ensure that the health and wellbeing of Enfield residents is protected and improved.

Equalities Impact of the Proposal

9. Retrospective Equality Impact Assessments have been reviewed and revised for all services in Place Department, so encompass enforcement activity. As statutory regulators we are obliged to work in accordance with our enforcement policies. The need to delegate enforcement powers is inherently for the purposes of addressing unsafe conditions and detriment to the environment in premises and neighbourhoods and tackling illegal practices to protect and ensure that there is fairness for all residents and businesses in the Borough.

In terms of the socio-economic impact of enforcement (penalty notices and prosecutions) many of the fines are set in statute and in prosecutions the courts determine the level of fines taking account of the defendant's financial situation. Enforcement (by notice, penalty notices or prosecution) is likely to have an adverse impact on individuals with lower income, but despite this enforcement action is only taken when necessary to protect the public generally, and so is justified.

Enforcement staff have undertaken equalities training.

Environmental and Climate Change Considerations

10. There are no direct impacts, but there are powers for delegation in this report which assists with energy efficiency enforcement and the enforcement of environmental amenity in neighbourhood (eg flytipping).

Risks that may arise if the proposed decision and related work is not taken

11. The Council is at risk of legal challenge to any of its enforcement action where staff operate with powers that have not been properly delegated from the Council.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

12. Not applicable. The risks arise if this decision is not taken.

Financial Implications

13. There are no specific financial implications arising from Recommendations. Enforcement will continue to be undertaken within existing resources.

Legal Implications

14. Pursuant to Section 101 of the Local Government Act 1972 a local authority may arrange for the discharge of any of their functions by a committee, a sub-committee or an officer of the authority or by any other local authority.

The power to appoint Proper Officers to discharge these functions comes from sections 112, 234 and 270 (3) of the Local Government Act 1972 and sections 69 and 72 of the Weights and Measures Act 1985, and section 18 and 19 of the Health and Safety at Work etc. Act 1974.

The Director of Law and Governance is authorised under the Constitution to institute, defend or participate in any legal proceedings on behalf of the Council. The delegation of authority sought in this respect will continue the existing arrangement to provide parallel authority to identified managers within Place to that vested in the Director of Law and Governance.

The recommendations contained within this report are within the Council's powers and duties and will ensure that officers are authorised to carry out all relevant enforcement action.

Workforce Implications

15. There are no workforce implications arising from this report.

Property Implications

16. There are no property implications arising from this report.

Other Implications

17. None.

Options Considered

18. There are no alternative options to consider. If the report is not approved, enforcement powers will not be effectively delegated to officers.

Conclusions

19. To agree the delegated authorities outlined in this report and set out in detail at Appendices A - J. These appendices will be updated and managed by the

Director of Law & Governance as required following any relevant legislative change that each respective service area will need to enforce.

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Date of report 13 May 2020

Background Papers

The following documents have been relied on in the preparation of this report:

None

Appendices

Appendix A

Delegated Authority within the Place Directorate

- 1.1 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director Environment and Operational Services, Place Department in respect of those matters listed in Appendices A – J. These appendices will be updated and managed by the Director of Law and Governance as required following any relevant legislative change that each respective service area need to enforce.
- 1.2 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Head of Community Safety in respect of those matters listed in Appendix B. This appendix will be updated and managed by the Director of Law and Governance as required following any relevant legislative change that each respective service area need to enforce.
- 1.3 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Environment and Operational Services in respect of those matters listed in Appendix C. This appendix will be updated and managed by the Director of Law and Governance as required following any relevant legislative change that each respective service area need to enforce.
- 1.4 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Housing & Regeneration in respect of those matters listed in Appendix D. This appendix will be updated and managed by the Director of Law and Governance as required following any relevant legislative change that each respective service area need to enforce.
- 1.5 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Property and Economy in respect of those matters listed in Appendix E. This appendix will be updated and managed by the Director of Law and Governance as required following any relevant legislative change that each respective service area need to enforce.
- 1.6 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Head of Planning in respect of those matters listed in Appendix F. This appendix will be updated and managed by the Director of Law and Governance as required following any relevant legislative change that each respective service area need to enforce.
- 1.7 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Programme Director – Meridian Water in respect of those matters listed in Appendix G. This appendix will be updated and managed by the Director of Law and Governance as required following any relevant legislative change that each respective service area need to enforce.

Appendix B

Delegated Authority within the Community Safety Team

- 1.1 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Head of Community Safety, in respect of those matters listed in paragraphs 1.2-1.14 below.
- 1.2 That the Head of Community Safety be appointed as a Proper Officer and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendix H.
- 1.3 That the Head of Community Safety, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H;
- 1.4 That the Head of Community Safety be authorised under Section 223 of the Local Government Act 1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;
- 1.5 That there be delegated to Head of Community Safety the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.
- 1.6 That there be delegated to the Head of Community Safety the power to authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers holding the appropriate level of competence which may include qualifications, knowledge and or experience.
- 1.7 That there be delegated to Head of Community Safety;
 - 1.7.1 Power to authorise officers to serve and sign in their own name all relevant notices in accordance with the legislation listed under Appendix H.
 - 1.7.2 Power to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notices or similar in accordance with the legislation listed at Appendix H.
 - 1.7.3 The power to institute civil proceedings under section 2 of the Local Government Act 2000 to protect the economic, social or environmental well-being of the community.
 - 1.7.4 The power of general competence under Section 1 of the Localism Act 2011.

- 1.8 That named officers as authorised by the Head of Community Safety, be delegated power to authorise directed surveillance and the use of covert human intelligence sources in accordance with the requirements of the Regulation of Investigatory Powers Act 2000 and to authorise officers to seek authorisation by Magistrates. (The Director of Law and Governance to maintain a record of duly authorised named officers holding the above posts and such other posts which satisfy the requirements of the Council's policy relating to the Regulation of Investigatory Powers Act 2000). To be made aware of applications for communications data under the Investigatory Powers Act 2019.
- 1.9 That there be delegated to the Head of Community Safety the power to seek an Injunction or Criminal Behaviour Order in either the Magistrates' Court or County Court.
- 1.10 That there be delegated to the Head of Community Safety the power to sign a Public Space Protection Order under the Anti-social Behaviour, Crime and Policing Act 2014
- 1.11 That there be delegated to the Head of Community Safety the power to seek closure orders for 'crack houses' and brothels under the Anti- social Behaviour, Crime and Policing Act 2014.
- 1.12 That there be delegated to the Head of Community Safety the power to seek 'gang' injunctions under section 37 of the Policing and Crime Act 2009.
- 1.13 That the Head of Community Safety be delegated power to authorise officers (including Metropolitan Police Officers operating within the Council's Housing estates) to enforce The London Borough of Enfield Byelaws for Pleasure Grounds, Public Walks and Open Spaces sealed by the Council on 27 April 2011 and confirmed by the Secretary of State on 25 August 2011.
- 1.14 That there be delegated to the Head of Community Safety power to authorise officers (including Metropolitan Police Officers operating within the Council's Housing estates) to serve and sign in their own name any fixed penalty notice, penalty charge notices and similar in accordance with those offences relating to litter, dog fouling and dog controls listed in Appendix J.

Appendix C

Delegated Authority within the Director of Environment and Operational Services Division

Public Realm:

- 1.1 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Environment and Operational Services and Head of Public Realm Services in respect of those matters listed in paragraphs 1.2-1.7 below.
- 1.2 That the Director of Environment and Operational Services and Head of Public Realm Services be appointed as Proper Officers and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendix H.
- 1.3 That the Director of Environment and Operational Services and Head of Public Realm Services, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H;
- 1.4 That the Director of Environment and Operational Services and Head of Public Realm Services be authorised under Section 223 of the Local Government Act 1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;
- 1.5 That there be delegated to Director of Environment and Operational Services and Head of Public Realm Services the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.
- 1.6 That there be delegated to the Director of Environment and Operational Services and Head of Public Realm Services the power to authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers holding the appropriate level of competence which may include qualifications, knowledge and or experience;
- 1.7 That there be delegated to the Director of Environment and Operational Services and Head of Public Realm Services, the
 - 1.7.1 Power to authorise officers to serve and sign in their own name all relevant notices in accordance with the legislation listed under Appendix H.

1.7.2 Power to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notices or similar in accordance with the legislation listed at Appendix J.

1.7.3 The power to institute civil proceedings under section 2 of the Local Government Act 2000 to protect the economic, social or environmental well-being of the community.

1.7.4 The power of general competence under Section 1 of the Localism Act 2011.

Regulatory Services:

1.8 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Environment and Operational Services and Head of Regulatory Services in respect of those matters listed in paragraphs 1.8-1.32 below.

1.9 That the Director of Environment and Operational Services and Head of Regulatory Services be appointed as Proper Officers and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendix H.

1.10 That the Director of Environment and Operational Services and Head of Regulatory Services have delegated power to appoint Proper Officers pursuant to sections 69 and 72 of the Weights and Measures Act 1985.

1.11 That the Director of Environment and Operational Services and Head of Regulatory Services and Team Leaders under the direction of the Service Head, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H;

1.12 That the Director of Environment and Operational Services and Head of Regulatory Services be authorised under Section 223 of the Local Government Act 1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;

1.13 That there be delegated to Director of Environment and Operational Services and Head of Regulatory Services the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.

1.14 That there be delegated to the Director of Environment and Operational Services and Head of Regulatory Services the power to

authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers holding the appropriate level of competence which may include qualifications, knowledge and or experience;

- 1.15 That there be delegated to the Director of Environment and Operational Services and Head of Regulatory Services the power to institute proceedings and bring contempt of court action in relation to the Enterprise Act 2002 and for Trading Standards Team Leader to be delegated the power to seek and receive voluntary undertakings under the aforesaid legislation.
- 1.16 That there be delegated to the Director of Environment and Operational Services and Head of Regulatory Services and Team Leaders;
 - 1.16.1 Power to authorise officers to serve and sign in their own name all improvement and prohibition notices in food safety and health & safety enforcement.
 - 1.16.2 Power to authorise officers to serve and sign in their own name all relevant notices in accordance with the legislation listed under Appendix H.
 - 1.16.3 Power to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notice and similar in accordance with the legislation listed at Appendix H.
 - 1.16.4 All authorisation, variation, revocation, enforcement and prohibition notices under; local authority pollution control enforcement.
 - 1.16.5 The power to institute civil proceedings under section 2 of the Local Government Act 2000 to protect the economic, social or environmental well-being of the community.
 - 1.16.6 The power of general competence under Section 1 of the Localism Act 2011.
- 1.17 That the powers of suspension and forfeiture provided by the Consumer Protection Act 1987 and the European Communities Act 1972 be delegated to the Director of Environment and Operational Services and Head of Regulatory Services and Team Leaders;
- 1.18 That there be delegated to the Director of Environment and Operational Services and Head of Regulatory Services the power to authorise officers to sign licences and registrations (as required by various statutes in Appendix I).
- 1.19 That in cases of serious consumer fraud the Director of Environment and Operational Services and Head of Regulatory Services and Team Leaders under the direction of a Head of Service be delegated authority

to institute proceedings under the Criminal Law Act 1977, Criminal Attempts Act 1981, Common Law Conspiracy to Defraud and Fraud Act 2006.

- 1.20 That the Director of Environment and Operational Services and Head of Regulatory Services be responsible for the discharge of the functions of the Local Authority relating to the appointment and duties of Trading Standards Officers, Fair Trading Officers, Environmental Health Officers, Environmental Protection Officers, Licensing Officers or Technical Officers in the Service;
- 1.21 That the Director of Environment and Operational Services and Head of Regulatory Services be responsible for arranging for the signature and service of Notices under the provisions of Sections 80 and 80(A) Environmental Protection Act 1990;
- 1.22 That the Director of Environment and Operational Services and Head of Regulatory Services be empowered pursuant to section 108 of the Environment Act 1995 to authorise persons as necessary for carrying into effect the provisions of the Act;
- 1.23 That the Director of Environment and Operational Services and Head of Regulatory Services be empowered pursuant to Schedule 1, Part 1 paragraph 14 of the Pollution Prevention Control Act 1999 to authorise persons as necessary for carrying into effect the provisions of the Act;
- 1.24 That the Director of Environment and Operational Services and Head of Regulatory Services be authorised to:
 - 1.24.1 Appoint Animal Welfare Officers to enter premises and to take action under enactments listed in Appendix H;
 - 1.24.2 Instruct, on behalf of the Council, such veterinary surgeon(s) to enter any premises to advise as necessary on action to be taken under the animal welfare legislation listed in Appendix H.
- 1.25 That the Director of Environment and Operational Services and Head of Regulatory Services be given delegated authority to appoint;
 - 1.25.1 A Consultant in Communicable Disease Control and their deputies to perform duties on behalf of the Council in respect of Notifiable Disease, Infections and food poisoning and for action under Section 47 of the National Assistance Act 1948 and
 - 1.25.2 Public Analysts in accordance with Section 27 of the Food Safety Act 1990 and Agricultural Analysts for the purposes of the Agricultural Act 1970;
- 1.26 The Director of Environment and Operational Services and Head of Regulatory Services be empowered:

- 1.26.1 pursuant to Section 19 of the Health and Safety at Work etc Act 1974, to appoint as Inspectors such persons having suitable qualifications as he or she thinks necessary for carrying into effect the provisions of the Act and to terminate any appointment made; and
- 1.26.2 pursuant to Section 39 of the Health and Safety at Work etc Act 1974, to authorise any such Inspectors to prosecute before a Magistrates' Court for any offence under the said Act or Regulations made there under and
- 1.26.3 be given delegated powers to arrange for other people to accompany Inspectors on inspections of workplaces and/or exercise inspector's powers under the provisions of the Health and Safety at Work etc. Act 1974 and
- 1.26.4 on behalf of the Local Authority be given delegated powers to endorse any agreed transfers of enforcement responsibility for any particular premises, or parts of premises, or any particular activities carried on in them, from the Health and Safety Executive to the Local Authority, or vice versa and;
- 1.26.5 be given delegated powers to issue a Sports Ground Safety Certificate under the Safety of Sports Grounds Act 1975;
- 1.27 That named officers as authorised by the Director of Environment and Operational Services and Head of Regulatory Services be delegated power to authorise directed surveillance and the use of covert human intelligence sources in accordance with the requirements of the Regulation of Investigatory Powers Act 2000 and to authorise officers to seek authorisation by Magistrates. (The Director of Law and Governance to maintain a record of duly authorised named officers holding the above posts and such other posts which satisfy the requirements of the Council's policy relating to the Regulation of Investigatory Powers Act 2000). To be made aware of applications for communications data under the Investigatory Powers Act 2019.
- 1.28 That the Director of Environment and Operational Services and Head of Regulatory Services be authorised to take appropriate enforcement action against (including prosecution) contraventions of non-mandatory trading legislation in cases where they determine it is expedient to do so in the interests of consumer protection, fair trading or wider public protection considerations;
- 1.29 That the powers of the Council to provide advice to consumers of goods and services under Section 69(5) of the Weights and Measures Act 1985 be delegated to staff duly authorised for that purpose by the Director of Environment and Operational Services and Head of Regulatory Services.

- 1.30 That the Director of Environment and Operational Services and Head of Regulatory Services be authorised to appoint suitably qualified officers to exercise powers under the Proceeds of Crime Act 2002 for the recovery of assets.
- 1.31 That the Director of Environment and Operational Services and Head of Regulatory Services be authorised to agree protocols which delegate functions for the enforcement of part III of the Consumer Credit Act 1974 and delegate the power to prosecute to Birmingham City Council for any matters associated with or discovered during an investigation by the illegal money lending team against illegal money lenders operating within the London Borough of Enfield.
- 1.32 That the Director of Environment and Operational Services and Head of Regulatory Services be authorised to in respect of duties and provisions of the Food Safety Act 1990, other Acts and any EU derived domestic legislation and direct EU legislation in accordance with the European Union (Withdrawal) Act 2018, and to initiate legal proceedings where necessary and be delegated the power to authorise officers in respect of Acts and any EU derived domestic legislation and direct EU legislation in accordance with the European Union (Withdrawal) Act 2018.

Highways, Parking and Traffic and Transportation:

- 1.33 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services, in respect of those matters listed in paragraphs 1.33-1.44 below.
- 1.34 That the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services be appointed as Proper Officers and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendices H-J.
- 1.35 That the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H;
- 1.36 That the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services be authorised under Section 223 of the Local Government Act

1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;

- 1.37 That there be delegated to Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.
- 1.38 That there be delegated to the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services the power to authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers having an appropriate level of competence which may include qualifications, knowledge and or experience.
- 1.39 That there be delegated to the Director of Environment and Operational Services, Head of Highway Services and Head of Traffic & Transportation the power to authorise officers of Highway Services to issue Fixed Penalty Notices pursuant to regulations 19 (1) and 20 (1) of The Traffic Management Permit Scheme (England) Regulations 2007 and s70 and s74 of the New Roads and Street Works Act 1991
- 1.40 That there be delegated to the Director of Environment and Operational Services, the power to authorise the Head of Highway Services and Head of Traffic & Transportation, the Group Engineer Network Management and Improvements, and the Principal Streetworks Officer, the power to initiate proceedings in connection with offences created under the New Roads and Streetworks Act 1991, Traffic Management Act 2004 and other related legislation.
- 1.41 That the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services be delegated power to authorise directed surveillance, interception of communications and the use of covert human intelligence sources in accordance with the requirements of the Regulation of Investigatory Powers Act 2000 and authorise officers to seek authorisation from Magistrates. (The Director of Law and Governance to maintain a record of duly authorised named officers holding the above posts and such other posts which satisfy the requirements of the Council's policy relating to the Regulation of Investigatory Powers Act 2000). To be made aware of applications for communications data under the Investigatory Powers Act 2019.
- 1.42 That there be delegated to the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Group Leaders authority to commence the process to make Traffic Orders under the Highways Act 1980 (sections 25, 116 and 118) and the Town & Country Planning Act 1990 (sections

247 and 249). That said officers may proceed to confirm such Orders if unopposed.

- 1.43 That the Director of Environment and Operational Services, Head of Highway Services, Head of Traffic & Transportation and Head of Parking Services be delegated power to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notices and similar in accordance with those offences under the Highways Act 1980 listed in Appendix J.
- 1.44 That the Director of Environment and Operational Services be authorised to exercise powers under section 96 of the Highways Act 1980 for the removal and retention of trees in accordance with the Council's Highway Strategy.

Appendix D:

Delegated Authority within the Director of Housing & Regeneration Division

- 1.1 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Housing & Regeneration, Head of Housing Services, Head of Housing Property Services, Head of People Assessments, Head of Impact, Head of Housing Development, Director of Residence and Safety and Regeneration Project Director in respect of those matters listed in paragraphs 1.2-1.7 below.
- 1.2 That the Director of Housing & Regeneration, Head of Housing Services, Head of Housing Property Services, Head of People Assessments, Head of Impact, Head of Housing Development, Director of Residence and Safety and Regeneration Project Director be appointed as Proper Officers and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendix H.
- 1.3 That the Director of Housing & Regeneration, Head of Housing Services, Head of Housing Property Services, Head of People Assessments, Head of Impact, Head of Housing Development, Director of Residence and Safety and Regeneration Project Director, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H;
- 1.4 That the Director of Housing & Regeneration, Head of Housing Services, Head of Housing Property Services, Head of People Assessments, Head of Impact, Head of Housing Development, Director of Residence and Safety and Regeneration Project Director be authorised under Section 223 of the Local Government Act 1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;
- 1.5 That there be delegated to Director of Housing & Regeneration, Head of Housing Services, Head of Housing Property Services, Head of People Assessments, Head of Impact, Head of Housing Development, Director of Residence and Safety and Regeneration Project Director the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.
- 1.6 That there be delegated to the Director of Housing & Regeneration, Head of Housing Services, Head of Housing Property Services, Head of People Assessments, Head of Impact, Head of Housing Development, Director of Residence and Safety and Regeneration Project Director the

power to authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers holding the appropriate level of competence which may include qualifications, knowledge and or experience;

- 1.7 That there be delegated to the Director of Housing & Regeneration, Head of Housing Services, Head of Housing Property Services, Head of People Assessments, Head of Impact, Head of Housing Development, Director of Residence and Safety and Regeneration Project Director to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notice and similar in accordance with the legislation listed in Appendix H.

Appendix E:

Delegated Authority within the Director of Property and Economy Division

- 1.1 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Director of Property and Economy, Head of Strategic Property Services, Head of Corporate Maintenance & Construction Team Head of Facilities Management and Head of Economic Development in respect of those matters listed in paragraphs 1.2-1.7 below.
- 1.2 That the Director of Property and Economy, Head of Strategic Property Services, Head of Corporate Maintenance & Construction Team Head of Facilities Management and Head of Economic Development be appointed as Proper Officers and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendix H.
- 1.3 That the Director of Property and Economy, Head of Strategic Property Services, Head of Corporate Maintenance & Construction Team Head of Facilities Management and Head of Economic Development, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H;
- 1.4 That the Director of Property and Economy, Head of Strategic Property Services, Head of Corporate Maintenance & Construction Team Head of Facilities Management and Head of Economic Development be authorised under Section 223 of the Local Government Act 1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;
- 1.5 That there be delegated to Director of Property and Economy, Head of Strategic Property Services, Head of Corporate Maintenance & Construction Team Head of Facilities Management and Head of Economic Development the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.
- 1.6 That there be delegated to the Director of Property and Economy, Head of Strategic Property Services, Head of Corporate Maintenance & Construction Team Head of Facilities Management and Head of Economic Development the power to authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers holding the appropriate level of competence which may include qualifications, knowledge and or experience;

- 1.7 That there be delegated to the Director of Property and Economy, Head of Strategic Property Services, Head of Corporate Maintenance & Construction Team Head of Facilities Management and Head of Economic Development to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notice and similar in accordance with the legislation listed in Appendix H.

Appendix F

Delegated Authority within the Head of Planning Division

- 1.1 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Head of Planning, Head of Development Management and Head of Strategic Planning in respect of those matters listed in paragraphs 1.2-1.16 below.
- 1.2 That the Head of Planning, Head of Development Management and Head of Strategic Planning be appointed as Proper Officers and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendix H.
- 1.3 That the Head of Planning, Head of Development Management and Head of Strategic Planning, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H.
- 1.4 That the Head of Planning, Head of Development Management and Head of Strategic Planning be authorised under Section 223 of the Local Government Act 1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;
- 1.5 That there be delegated to Head of Planning, Head of Development Management and Head of Strategic Planning the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.
- 1.6 That there be delegated to the Head of Planning, Head of Development Management and Head of Strategic Planning the power to authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers holding the appropriate level of competence which may include qualifications, knowledge and or experience;
- 1.7 That there be delegated to the Head of Planning, Head of Development Management and Head of Strategic Planning to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notice and similar in accordance with the legislation listed in Appendix J.
- 1.8 That the Head of Planning, Head of Development Management and Head of Strategic Planning be authorised to name streets and number properties in accordance with Council policy under the London Buildings Acts (Amendment) Act 1939 and the Local Government Act 2003.

- 1.9 That there be delegated to the Head of Planning, Head of Development Management and Head of Strategic Planning and Team Leaders;
 - 1.9.1 Power to authorise officers to serve and sign in their own name all improvement and prohibition notices in health & safety enforcement.
 - 1.9.2 Power to authorise officers to serve and sign in their own name all relevant notices in accordance with the legislation listed under Appendix H.
 - 1.9.3 Power to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notice and similar in accordance with the legislation listed at Appendix H.
 - 1.9.4 All authorisation, variation, revocation, enforcement and prohibition notices under; local authority pollution control enforcement.
- 1.10 That there be delegated to the Head of Planning, Head of Development Management and Head of Strategic Planning the power to authorise officers to sign licences and registrations (as required by various statutes in Appendix I and listed at Appendix H).
- 1.11 That the Head of Planning, Head of Development Management and Head of Strategic Planning be responsible for arranging for the signature and service of Notices under the provisions of Sections 80 and 80(A) Environmental Protection Act 1990;
- 1.12 That the Head of Planning, Head of Development Management and Head of Strategic Planning be empowered pursuant to section 108 of the Environment Act 1995 to authorise persons as necessary for carrying into effect the provisions of the Act;
- 1.13 Head of Planning, Head of Development Management and Head of Strategic Planning be empowered pursuant to Schedule 1, Part 1 paragraph 14 of the Pollution Prevention Control Act 1999 to authorise persons as necessary for carrying into effect the provisions of the Act;
- 1.14 The Head of Planning, Head of Development Management and Head of Strategic Planning be empowered:
 - 1.14.1 pursuant to Section 19 of the Health and Safety at Work etc Act 1974, to appoint as Inspectors such persons having suitable qualifications as he or she thinks necessary for carrying into effect the provisions of the Act and to terminate any appointment made; and
 - 1.14.2 pursuant to Section 39 of the Health and Safety at Work etc Act 1974, to authorise any such Inspectors to prosecute before

- a Magistrates' Court for any offence under the said Act or Regulations made there under and
- 1.14.3 be given delegated powers to arrange for other people to accompany Inspectors on inspections of workplaces and/or exercise inspector's powers under the provisions of the Health and Safety at Work etc. Act 1974 and
 - 1.14.4 on behalf of the Local Authority be given delegated powers to endorse any agreed transfers of enforcement responsibility for any particular premises, or parts of premises, or any particular activities carried on in them, from the Health and Safety Executive to the Local Authority, or vice versa and;
 - 1.14.5 be given delegated powers to issue a Sports Ground Safety Certificate under the Safety of Sports Grounds Act 1975;
- 1.15 That named officers as authorised by the Head of Planning, Head of Development Management and Head of Strategic Planning be delegated power to authorise directed surveillance and the use of covert human intelligence sources in accordance with the requirements of the Regulation of Investigatory Powers Act 2000 and to authorise officers to seek authorisation by Magistrates. (The Director of Law and Governance to maintain a record of duly authorised named officers holding the above posts and such other posts which satisfy the requirements of the Council's policy relating to the Regulation of Investigatory Powers Act 2000). To be made aware of applications for communications data under the Investigatory Powers Act 2019.
- 1.16 That the Head of Planning, Head of Development Management and Head of Strategic Planning be authorised to appoint suitably qualified officers to exercise powers under the Proceeds of Crime Act 2002 for the recovery of assets.

Appendix G:

Delegated Authority within the Programme Director of Meridian Water

- 1.1 Pursuant to section 101 of the Local Government Act 1972, powers are delegated to the Programme Director of Meridian Water, Programme Manager, Commercial Lead, Construction & Infrastructure Lead and Socio Economic Lead in respect of those matters listed in paragraphs 1.2-1.7 below.
- 1.2 That the Programme Director of Meridian Water, Programme Manager, Commercial Lead, Construction & Infrastructure Lead and Socio Economic Lead be appointed as Proper Officers and have delegated power to appoint Proper Officers pursuant to sections 112, 234, 270 (3) of the Local Government Act 1972 for the purposes of signing all Notices, Orders, Licences and other documents, given, made or issued by them on behalf of the Council under the legislation in Appendix H.
- 1.3 That the Programme Director of Meridian Water, Programme Manager, Commercial Lead, Construction & Infrastructure Lead and Socio Economic Lead, be authorised pursuant to Section 222 of the Local Government Act 1972 to institute proceedings in any Magistrates Court in respect of offences or other matters falling within the legislation in Appendix H;
- 1.4 That the Programme Director of Meridian Water, Programme Manager, Commercial Lead, Construction & Infrastructure Lead and Socio Economic Lead be authorised under Section 223 of the Local Government Act 1972 to appear on behalf of the Council before any Magistrates Court in relation to proceedings instituted by them;
- 1.5 That there be delegated to Programme Director of Meridian Water, Programme Manager, Commercial Lead, Construction & Infrastructure Lead and Socio Economic Lead the power to authorise officers of the Service to appear on behalf of the Council in any Magistrates Court under Section 223 of the Local Government Act 1972 in relation to proceedings instituted for legislation shown at Appendix H.
- 1.6 That there be delegated to the Programme Director of Meridian Water, Programme Manager, Commercial Lead, Construction & Infrastructure Lead and Socio Economic Lead the power to authorise officers to exercise powers and duties falling within the legislation referred to at Appendix H, subject where appropriate to officers holding the appropriate level of competence which may include qualifications, knowledge and or experience;
- 1.7 That there be delegated to the Programme Director of Meridian Water, Programme Manager, Commercial Lead, Construction & Infrastructure Lead and Socio Economic Lead to authorise officers to serve and sign in their own name any fixed penalty notice, penalty charge notice and similar in accordance with the legislation listed in Appendix H.

Appendix H:

Legislation enforced

The legislation in Appendix H comprises all the statutes set out in the following table, as amended from time to time, plus all secondary legislation made under or in connection with any of those statutes, including any relevant secondary legislation made under the European Communities Act 1972 and any relevant by-laws or orders made by the London Borough of Enfield and their amendments.

NO.	LEGISLATION
1.	Protection of Animals Acts 1911-1960
2.	Accommodation Agencies Act 1953
3.	Administration of Justice Act 1970 and 1985
4.	Agriculture Act 1970
5.	Agriculture (Misc. Provisions) Act 1968
6.	Animal Boarding Establishments Act 1963
7.	Animal Health Act 1981
8.	Animal Health & Welfare Act 1984
9.	Animals Act 1971
10.	Animal Feed (England) Regulations, 2010
11.	Animal Feed (Hygiene, Sampling etc and Enforcement)(England) Regulations 2015
12.	Animal Health Act 2002
13.	Animal Welfare Act 2006
14.	Anti Social Behaviour Act 2003
15.	Anti-social Behaviour, Crime and Policing Act 2014
16.	Architects Act 1997
17.	Auctions (Bidding Agreements) Acts 1927 & 1969
18.	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013
19.	Biofuel Labelling Regulations 2004
20.	Building Act 1984

21.	Business Protection from Misleading Marketing Regulations 2008
22.	Cancer Act 1939
23.	Caravan Sites Act 1968
24.	Caravan Sites & Control Of Development Act 1960
25.	Charities Act 2006
26.	Charities Act 1992
27.	Children & Families Act 2014
28.	Children & Young Persons (Protection From Tobacco) Act
29.	Children and Families Act 2014 (enforcement of The Standardised Packaging of Tobacco Products Regulations 2015)
30.	Children & Young Persons Act 1933
31.	Children & Young Persons Act 1963
32.	Children and Young Persons (Protection from Tobacco) Act
33.	Children and Young Persons (Sale of Tobacco etc.) Order 2007
34.	Chronically Sick and Disabled Persons Act 1970
35.	Cigarette Lighter Refill (Safety) Regulations 1999
36.	Clean Air Act 1993
37.	Clean Neighbourhoods & Environment Act 2005
38.	Client Money Protection Schemes for Property Agents (Requirements to Belong to a scheme etc) Regulations 2018
39.	Computer Misuse Act 1990
40.	Companies Act 2006
41.	Construction Products Regulations 1991
42.	Consumer, Estate Agents and Redress Act 2007
43.	Consumer Credit Act 1974
44.	Consumer Protection Act 1961 & 1987
45.	Consumer Protection from Unfair Trading Regulations 2008
46.	Consumer Rights Act 2015
47.	Control of Pollution Act 1974
48.	Control of Pollution (amendment) Act 1989
49.	Copyright Designs & Patents Act 1988
50.	Cosmetic Product Enforcement Regulations 2013

51.	EC Cosmetics Regulation 1223/2009
52.	Crime and Disorder Act 1998
53.	Criminal Attempts Act 1981
54.	Criminal Damage Act 1971
55.	Criminal Justice & Public Order Act 1994
56.	Criminal Justice Act 1988
57.	Criminal Justice and Immigration Act 2008
58.	Criminal Justice and Police Act 2001
59.	Criminal Law Act 1977
60.	Crossbows Act 1987
61.	Dangerous Dogs Act 1991
62.	Dangerous Wild Animals Act 1976
63.	Data Protection Act 2018
64.	Detergents Regulations 2010
65.	Disability Discrimination Act 1995
66.	Edmonton Urban District Council Act 1929
67.	Education Reform Act 1988
68.	Electrical Equipment (Safety) Regulations 1994
69.	Employment of Women, Young Persons & Children Act 1920
70.	Employment Agencies Act 1973
71.	Energy Conservation Act 1981
72.	Energy Act 2011
73.	Energy Act 2013
74.	Energy Information Regulations 2001
75.	Energy Information Regulations 2011
76.	Environment Act 1995
77.	Environmental Protection Act 1990
78.	Environmental Protection (Microbeads)(England) Regulations 2017
79.	Enterprise Act 2002
80.	Enterprise and Regulatory Reform Act 2013
81.	Estate Agents Act 1979
82.	European Communities Act 1972, and Regulations, Orders or other legislation made thereunder
83.	European Union (Withdrawal) Act 2018

84.	Equine Identification (England) Regulations 2018
85.	Explosives Act 1875
86.	Fair Trading Act 1973
87.	Firearms Act 1968
88.	Fireworks Act 2003
89.	Fire Safety & Safety of Places of Sport Act 1987
90.	Flood and Water Management Act 2010
91.	Fluorinated Greenhouse Gases Regulations 2015
92.	Food & Environment Protection Act 1985
93.	Food Safety Act 1990
94.	Forgery & Counterfeiting Act 1982
95.	Fraud Act 2006
96.	Gambling Act 2005
97.	Greater London Council (General Powers) Act 1972
98.	Greater London Council (General Powers) Act 1973
99.	Greater London Council (General Powers) Act 1974
100.	Greater London Council (General Powers) Act 1978
101.	Greater London Council (General Powers) Act 1981
102.	Greater London Council (General Powers) Act 1982
103.	Greater London Council (General Powers) Act 1984
104.	Guard Dogs Act 1975
105.	Hallmarking Act 1973
106.	Health Act 2006
107.	Health & Safety at Work etc Act 1974
108.	Health and Social Care Act 2008
109.	Highways Act 1835
110.	Highways Act 1980
111.	Housing and Planning Act 2016
112.	Housing Act 1985 (as amended)
113.	Housing Act 1996
114.	Housing, Grants, Construction & Regeneration Act 1996
115.	Housing Act 1988
116.	Housing Act 2004
117.	Hypnotism Act 1952

118.	Intellectual Property Act 2014
119.	Intoxicating Substances (Supply) Act 1985
120.	The Investigatory Powers Act 2016
121.	Knives Act 1997
122.	Land Drainage Act 1991
123.	Legal Services Act 2007
124.	Licensing Act 2003
125.	Local Government (Misc. Provisions) Act 1976
126.	Local Government (Misc. Provisions) Act 1982
127.	Local Government Act 1972
128.	Local Government Act 2000
129.	Localism Act 2011
130.	London Buildings Acts (Amendment) Act 1939
131.	London Local Authorities Act 1990
132.	London Local Authorities Act 1991
133.	London Local Authorities Act 1994
134.	London Local Authorities Act 1995
135.	London Local Authorities Act 1996
136.	London Local Authorities Act 2000
137.	London Local Authorities Act 2004
138.	London Local Authorities Act 2007
139.	London Local Authorities Act 2012
140.	London Local Authorities & Transport For London Act 2003
141.	London Local Authorities & Transport For London Act 2008
142.	London Olympic Games and Paralympic Games Act 2006
143.	Magistrates Court Act 1980
144.	Malicious Communications Act 1988
145.	Mobile Telephones (Re-Programming) Act 2002
146.	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017
147.	Motorcycle Noise Act 1987
148.	Motor Vehicle (Safety for children) Act 1991
149.	National Lottery etc. Act 1993
150.	New Roads and Street Works Act 1991
151.	Noise Act 1996

152.	Noise & Statutory Nuisance Act 1993
153.	Offensive Weapons Act 1996 & 2019
154.	Offices Shops & Railways Premises Act 1963
155.	Olympic Symbol Etc (Protection) Act 1995
156.	Package Travel, Package Holidays & Package Tours Regs 1992
157.	Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001
158.	Poisons Act 1972
159.	Policing and Crime Act 2009
160.	Pollution Prevention & Control Act 1999
161.	Planning (Listed Buildings & Conservation Areas) Act 1990
162.	Prevention Of Damage By Pests Act 1949
163.	Prices Act 1974 and 1975
164.	Proceeds of Crime Act 2002
165.	Protection of Freedoms Act 2012
166.	Protection From Eviction Act 1977
167.	Protection From Harassment Act 1997
168.	Public Health (Control of Diseases) Act 1984
169.	Public Health Act 1936
170.	Public Health Act 1961
171.	Public Health Acts Amendment Act 1907
172.	Psychoactive Substances Act 2016
173.	The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014
174.	Radio Equipment Regulations 2017
175.	Registration, Evaluation, Authorisation & Restriction of Chemicals Regulations Enforcement Regulations 2008
176.	Refuse Disposal (Amenity) Act 1978
177.	Registered Designs Act 1949
178.	Restriction of Offences Weapons Act 1959
179.	Road Traffic Act 1988 & 1991
180.	Road Traffic (Foreign Vehicles) Act 1972
181.	Road Traffic Offenders Act 1988
182.	Road Traffic Regulation Act 1984
183.	Safety Of Sports Grounds Act 1975

184.	Scrap Metal Dealers Act 2013
185.	Solicitors Act 1974
186.	Sunbeds (Regulation) Act 2010
187.	Sunday Trading Act 1994
188.	Tattooing of Minors Act 1969
189.	Telecommunications Act 1984
190.	Tenant Fees Act 2019
191.	Theft Act 1968
192.	Theft Act 1978
193.	The Food Safety and Hygiene (England) Regulations 2013
194.	The Animal Feed England Regulations 2010
195.	The Animal Feed (Hygiene, Sampling & Enforcement) (England) Regulations, 2015
196.	The Animal Feed (Composition, Marketing & Use) (England) Regulations, 2015
197.	The Food Information Regulations 2014
198.	The General Product Safety Regulations 2005
199.	The Standardised Packaging of Tobacco Products Regulations 2015
200.	The Transmissible Spongiform Encephalopathies (England) Regulations, 2018
201.	The Removal and Disposal of Vehicles Regulations 1986
202.	The Environmental Permitting (England and Wales) Regulations 2010
203.	The Single Use Carrier Bags Charges (England) Order 2015
204.	The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
205.	The Standardised Packaging of Tobacco Products Regulations 2015
206.	Tobacco Advertising and Promotion Act 2002
207.	Tobacco Related Products Regulations 2016
208.	Town & Country Planning Act 1990
209.	Trade Descriptions Act 1968
210.	Trade Marks Act 1994
211.	Traffic Management Act 2004
212.	Unsolicited Goods & Services Act 1971

213.	Unsolicited Goods & Services (Amendment) Act 1975
214.	Vehicles (Crime) Act 2001
215.	Violent Crime Reduction Act 2006
216.	Video Recordings Act 1984
217.	Video Recordings Act 1993
218.	Video Recordings Act 2010
219.	Water Act 1989
220.	Water Industry Act 1991
221.	Water Resources Act 1991
222.	Weights & Measures Act 1985
223.	Wildlife & Countryside Act 1981
224.	Young Persons Employment Act 1938
225.	Zoo Licensing Act 1981

Appendix I

LICENCES AND REGISTRATIONS

NO.	LICENCE/ REGISTRATION and LEGISLATION
1.	Animal Welfare Act 2006
2.	The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
3.	Auctions and Sales by Competitive Bidding (Greater London Council (General Powers) Act 1984)
4.	Civil Marriage/partnership venues (Marriage Act 1949 and Civil Partnership Act 2004)
5.	Dangerous Wild Animals (Dangerous Wild Animals Act 1976)
6.	Explosives Storage (Manufacture and Storage of Explosives) Regulations 2005)
7.	Food Premises Registration (Food Safety Act 1990, Food Premises (Registration) Regulations 1990, as amended).
8.	Gambling Act 2005
9.	Hairdressers/Barbers Registration (Greater London Council (General Powers) Act 1967
10.	Hire of Pleasure craft licences (Public Health Acts Amendment Act 1907 section 94)
11.	Housing Act 2004
12.	Hypnotism Licences (Hypnotism Act 1952)
13.	Licensing Act 2003
14.	Motor vehicle salvage (Vehicles (Crime) Act 2001 and Motor Salvage Operators Regulations 2002)
15.	Movement of Pigs (Animal Health Act 1981)
16.	Occasional Car boot Sales (London Local Authorities Act 1996)
17.	Permits for Pollution control (Pollution Prevention and Control Act 1999)
18.	Poisons (Poisons Act 1972)
19.	Registration of Cooling Towers (The Notification of Cooling Towers and Evaporative Condensers Regulations 1992)
20.	Sports Ground Safety Certificate (Safety of Sports Grounds Act 1975)
21.	Scrap Metal Dealers (Scrap Metal Dealers Act 2013)
22.	Sex Establishments (Local Government (Miscellaneous Provisions) Act 1982
23.	Skips, scaffolding and other lawful interference with the highway (Highways Act 1980)
24.	Special Treatments (London Local Authorities Act 1991 as amended)

25.	Street Trading (London Local Authorities Act 1990)
26.	Zoo Licences (Zoo Licensing Act 1981)

Appendix J

FIXED PENALTY NOTICES, PENALTY CHARGE NOTICES AND OTHER SIMILAR PROVISIONS

Act	Section	Description of Offence
Criminal Damage Act 1971	1(1)	Damaging property etc) which involves only the painting or writing on, or the soiling, marking or other defacing of, any property by whatever means (e.g. graffiti)
Anti-Social Behaviour, Crime and Policing Act 2014:	48 67 63	Failing to comply with a Community Protection Notice Failing to comply with a Public Spaces Protection Order Consumption of Alcohol in breach of Prohibition Order
Clean Neighbourhoods and Environment Act 2005	3 4	Exposing vehicles for sale on a road. Repairing vehicles on a road.
Refuse Disposal (Amenity) Act 1978	2(1)(a)	Abandoning a vehicle
Energy Act 2013	150	Failure to install carbon monoxide or smoke detectors and maintain in working order
Environmental Protection Act 1990	87	Litter
Environmental Protection Act 1990	Schedule 3A	Unauthorised distribution of literature on designated land
Control of Pollution (Amendment) Act 1989	5	Failure to produce authority to carry controlled waste
Environmental Protection Act 1990	34(6)	Failure to produce Written Description of waste (waste transfer notes)
Environmental Protection Act 1990	34(6)	Failure to comply with household duty of care with respect to waste
Environmental Protection Act 1990	46 47	Offences in relation to waste receptacles
Clean Neighbourhoods and Environment Act 2005	71(4)	Failure to nominate key-holder (within an alarm notification area) or to notify local authority in writing of nominated key-holder's details.
Highways Act 1980	131(2)	Obliteration of road sign
Highways Act 1980	132(1)	Painting or otherwise inscribing or affixing picture etc. upon the surface of a highway or upon a tree,
	137(1)	Willful obstruction of highway
	138	Erecting a building, fence or hedge on highway

	139(3)	Depositing builder's skip on highway without permission
	139(4)(a)	Failure to secure lighting or other marking of builder's skip
	139(4)(b)	Failure to secure marking of builder's skip with name and address
	139(4)(c)	Failure to secure removal of builder's skip
	139(4)(d)	Failure to comply with conditions of permission
	140(3)	Failure to remove or reposition builder's skip
	141(3)	Failure to comply with notice requiring removal of tree or shrub
	147A(2)	Using of stall etc. for road side sales in certain circumstances
	148(a)	Depositing material etc. on a made-up carriageway
	148(b)	Depositing material etc. within 15 feet from centre of made-up carriageway
	148(c)	Depositing anything on highway to the interruption of user
	148(d)	Pitching of booths, stalls or stands or encamping on highway
	151(3)	Failure to comply with notice requiring works to prevent soil or refuse escaping onto street or into sewer
	152(4)	Failure to comply with notice requiring removal of projection from buildings
	153(5)	Failure to comply with notice requiring alteration of door, gate or bar opening outwards onto street
	155(2)	Keeping of animals straying or lying on side of highway
	161(1)	Depositing things on highway which cause injury or danger
	169(5)	Erecting scaffolding or other structure without licence or failing to comply with terms of licence or perform duty under subsection (4)
Environmental Protection Act 1990 and London Local Authorities Act 2004 (Sections 15 & 16 and Schedule 2) (as amended)	80(4)	Contravention or failure to comply with requirement or prohibition imposed by abatement notice
Estate Agents Act 1979 as amended by the Consumers, Estate Agents and Redress Act 2007	23B(1) and schedule 4	Engaging in Estate Agency Work without being a member of an approved redress scheme. (Penalty Charge Notice)

Health Act 2006	6(5)	Failure to comply with a duty to display no smoking signs in smoke free places and smoke free vehicles.
	7(2)	Smoking in a Smoke Free Place
Housing Act 2004	30	Failure to comply with improvement notice
	72	Licensing of HMOs
	95	Licensing of houses under Part 3
	139(7)	Failure to comply with overcrowding notice
	234	Management Regulations in respect of HMOs
Housing and Planning Act 2016	21(1)	Financial Penalty for breach of Banning Order
Housing and Planning Act 2016	126 and Schedule 9	Financial penalty as alternative to prosecution under Housing Act 2004
Town and Country Planning Act 1990 and London Local Authorities Act 2004 (Sections 15 & 16 and Schedule 2)(as amended)	224(3)	Displaying advertisement in contravention of regulations
London Local Authorities Act 1990 and 2004 and London Local Authorities Act 2004 (Sections 15 & 16 and Schedule 2)(as amended)	34(1)	Contravention of condition of street trading licence or temporary licence
	34(2)	Making false statement in connection with application for street trading licence or temporary licence
	34(3)	Resisting or obstructing authorised officer
	34(4)	Failure to produce street trading licence on demand

	38(1)	Unlicensed street trading
London Local Authorities Act 2007 Environmental Protection Act 1990 (EPA)	61, 24, 87EPA 61,20,22	Penalty Charge Notices for littering from Motor vehicles Penalty Charge Notices for breaching of regulations relating to receptacles for household, commercial or industrial waste
Energy Performance of Buildings (England and Wales) Regulations 2012 Regulation 36 Committing a breach of duty under Regulations 6(2),6(5),7(2),7(3),7(4),7(5),7A(2), 7A(3), 10(2),11(2),14(3),18(1),20,21 & 35(5)	6(2),6(5)	Energy performance certificates on sale and rent
	7(2) to 7(5)	Energy Performance Certificates on marketing of properties
	7(A) (2) & (3)	Energy performance certificates on construction
	10(2)	Display of energy performance certificates
	11(2)	Statement of energy performance [rating]
	14(3)	Display energy certificates and recommendation reports
	18(1)	Inspections of air-conditioning systems
	20	Keeping of records etc.
	21	Changes of relevant person
	35(5)	Production of documents
Energy Efficiency (Private Rented Property) (England and Wales) Regulations	23	Prohibition on letting of sub-standard property

2015	27	Prohibition on letting of sub-standard non-domestic PR property
	37(4)(a)	Compliance notices
London Local Authorities Act 2004 for byelaw made under Section 235 Local Government Act 1972	15	Fixed Penalty Notice for spitting
The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014	8(1)	Penalty notice for failing to comply with requirement to belong to a redress scheme.
Tenant Fees Act 2019	S1 (Landlord) S2 (Letting Agent), S8	Penalty for engaging in a prohibited practice (to require a relevant person to make a prohibited payment, enter into a contract or make a loan).
Tenant Fees Act 2019	Sch2 & S8	Penalty for not returning a holding deposit and it's repayment.
The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019 made under Housing and Planning Act 2016	Reg 3	Penalty for failing to belong to an approved or designated client money protection scheme, that membership must be one that protects the maximum amount of client money that the agent may hold.

	Reg 4	Penalty for failing to obtain, display, publish or produce a certificate of membership of approved/designated Client Money Protection Scheme, or failing to notify clients in writing, if that membership has been revoked or if membership been changed to another scheme.
Traffic Management Act 2004, Part 6		Enforcement of Traffic and Parking contraventions
Environmental Protection Act 1990	S33ZA	Flytipping
Consumer Rights Act 2015	87	Display of fees by estate and letting agents
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (Energy Act 2013)	Regulation 8	Breach of Duty under Regulations