

Directorate: Economy and Environment

The scheme of delegation is to be read in conjunction with relevant sections of the constitution including:

Part 3 – The functions scheme

Part 4 – Section 6 – the contract procedure rules

Part 4 – Section 7 – the financial procedure rules

	What the function/power is ¹	Who may carry it out ²	Any constraints/comments ³	Decision (E/C/O ⁴)
1.	Annual increases to pre-application advice charges for development management and listed buildings.	Service Director Economy and Growth	In accordance with the policy as set out at http://hc-modgov:9070/ieDecisionDetails.aspx?ID=2681 Charges are thereafter increased annually in line with corporate policy	E
Neighbourhood Planning				
2.	Designation of a Neighbourhood Area <ul style="list-style-type: none"> Regulation 6/7 of the Neighbourhood Planning (General) Regulations 2012. 	Service Director Economy and Growth	Following statutory 4 to 6 week consultation period	C
3.	Progression to examination Decision Document <ul style="list-style-type: none"> Regulation 15/16 of the Neighbourhood Planning (General) Regulations 2012. 	Service Director Economy and Growth	Following 6 week consultation period and assessment by officers that the NDP meets the legal requirements and the 'Basic Conditions'	C
4.	Proceed to referendum Decision Document <ul style="list-style-type: none"> Regulation 17/18 of the Neighbourhood Planning (General) Regulations 2012. 	Service Director Economy and Growth	Following successful examination where the examiner's report has recommended progression to referendum	C

¹ Say what the activity is that is being delegated and the source of the power eg decision to instigate care proceedings under s 31 of the Childrens Act 1989

² Say all the posts to which the activity has been delegated; please refer only to post names and not post holders unless there is a personal delegation

³ Include any specific conditions or constraints which apply to the delegation eg requirement to first consult with xxx

⁴ Identify decision type as follows: E = executive function; C = Council function (includes most planning and regulatory activity); O = operational

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
5.	Neighbourhood Plan Adoption/Made <ul style="list-style-type: none"> Regulation 19 of the Neighbourhood Planning (General) Regulations 2012. 	Service Director Economy and Growth	Following positive referendum result and assurance that the NDP meets the legal requirements, Basic Conditions and European Legislation.	C
Strategic Planning				
6.	Preparation of development plan documents (part 2 of the Planning and Compulsory Purchase Act 2004) Preparation of and consultation upon issues and options documents.	Service Director Economy and Growth		C
7.	Preparation of Supplementary Planning Documents (SPD) The Town and Country Planning (Local Planning) (England) Regulations 2012 Preparation of Draft SPD for consultation.	Service Director Economy and Growth	SPD can only supplement existing adopted policy and not introduce new policy	C
<i>Rows 8 to 15 no longer used. See Community Wellbeing Scheme of Delegation for Strategic Housing functions.</i>				
<i>Rows 16 to 28 no longer used. See Community Wellbeing Scheme of Delegation for Libraries, Museums and Archives functions.</i>				
Building Control – Functions/powers are exercised in accordance with the Building Act 1984, The Public Health Act 1925, The Town and Improvement Clauses Act 1847 and The Public Health Act 1875.				
29.	Notices and actions under section 16 (Passing or rejection of plans) of the Building Act 1984.	Service Director Economy and Growth, Interim Head of Planning and Building Control, Senior Building Control Surveyor, Building Control Surveyor	Decisions are made and approval or rejections issued based on the guidance of the statutory documents. Decisions can be appealed via the DCLG but this is after we have made a decision on an application and does not form part of our decision process.	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
30.	Directions under the following sections of the Building Act 1984: 8 (Relaxation of building regulations) 10 (Advertisement of proposal for relaxation of building regulations) 15 (Consultation with fire authority) 19 (Use of short-lived materials) 21 (Provision of drainage) 24 (Provision of exits etc) 25 (Provision of water supply) 31 (Proposed departure from plans) 32 (Lapse of deposit of plans) 33 (Tests for conformity with building regulations) 35 (Penalty for contravening building regulations) 35a (Time limit for prosecution for contravention of building regulations) 36 (Removal or alteration of offending work) 47 (Giving and acceptance of initial notice) 72 (Means of escape from fire) 78 (Dangerous building - emergency measures) 81 (Local authority's power to serve notice about demolition) 91 (Duties of local authorities) 95 (Power to enter premises)	Service Director Economy and Growth, Interim Head of Planning and Building Control, Senior Building Control Surveyor, Building Control Surveyor		

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	96 (Supplementary provisions as to entry).			
31.	Directions under sections 77 (Dangerous building) and 107 (Recovery of expenses etc) of the Building Act 1984.	Service Director Economy and Growth, Interim Head of Planning and Building Control and Senior Building Control Surveyor		
32.	Directions under section 80 (Notice to local authority of intended demolition) of the Building Act 1984.	Service Director for Economy and Growth, Interim Head of Planning and Building Control		
33.	Building Regulations 2010 (as Amended) – Control of Building work.	Service Director Economy and Growth, Interim Head of Planning and Building Control, Senior Building Control Surveyor, Building Control Surveyor		
34.	Building (local authority charges) Regulations 2010 - To determine the scheme of charges to recover costs in connection with the performance of the functions related to building regulations.	Service Director Economy and Growth, Interim Head of Planning and Building Control, Senior Building Control Surveyor, Building Control Surveyor, Technical Support Officers		

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
35.	Public Health Act 1925: Sections 17-19, the Town and Improvement Clauses Act 1847: Sections 64-65 and the Public Health Act 1875 - Exercise the council's powers to name streets and require the renumbering of buildings in streets.	Service Director Economy and Growth, Interim Head of Planning and Building Control, Senior Building Control Surveyor, Building Control Surveyor	Building control are responsible for the naming and numbering of all new buildings. The electoral registration team are responsible for changes to property names.	
Parking				
36.	Road Traffic Regulation Act 1984 – gives the power to local authorities to make traffic regulation orders which prohibit or restrict the use of a road; and which provide parking places on the highway, and in off-street car parks and set out the term on which such parking places may be used. Permission is also granted to park in contravention by way of a dispensation permit.	Service Director Environment and Highways, Parking Services Manager, Principal Parking Enforcement Officer (Lead & City), Principal Parking Enforcement Officer (County), Civil Enforcement officer – Shift Leader, Civil Enforcement Officer, Parking Service Operational Officers		
37.	Civil Enforcement of Parking Contraventions (England) General Regulations – provides for the issue of a Charge Certificate in order to recover debt from unpaid Parking Penalty Charge Notices.	Appeals and Representations Officers, Principal Recovery Officer, Parking Services Manager	This document is served in accordance with Regulation 21.	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
38.	Civil Enforcement of Parking Contraventions (England) General Regulations – provides for the enforcement of a Charge Certificate if unpaid, by the issue of an Order for Recovery from a County Court.	Appeals and Representations Officers, Principal Recovery Officer, Parking Services Manager	This is enforced in accordance with Regulation 22.	
39.	Taking Control of Good Regulations 2013 (as amended) – provides for the execution of a County Court Order to instruct Enforcement Agents to recovery unpaid Parking Penalty Charge Notice debt.	Appeals and Representations Officers, Principal Recovery Officer, Parking Services Manager	Herefordshire Council contracts an approved and certified Bailiff company in order to recover debt, including taking control of any goods in accordance with the regulations.	
40.	Road Traffic Regulation Act 1984 and associated Off Street Car Park Orders – provides for charges and restrictions to apply at off street car parks. Permission to be granted to use car park for another purpose, hire or to waive the parking fee payable for an event or other use.	Service Director Environment and Highways, Parking Services Manager	Hire of car parks policy in place.	
41.	Road Traffic Regulation Act 1984 and associated Traffic Regulation Orders – provides for charges to apply at on street parking locations. Permission to be granted to use parking spaces for another purpose, hire or to waive the parking fee payable for an event or other use.	Service Director Environment and Highways, Parking Services Manager, Principal Parking Enforcement Officer (Lead & City)	Hire of parking space policy in place.	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
42.	The Traffic Management Act 2004 (Part 6) – provides for contraventions of the terms of a traffic regulation order relating to parking places on the highway and off-street, which were made offences in the RTRA (1984), to be subject to civil enforcement.	Service Director Environment and Highways, Parking Services Manager, Civil Enforcement Officer, Parking Services Manager, Principal Parking Enforcement Officer (Lead & City), Principal Parking Enforcement Officer (County), Principal Recovery Officer, Civil Enforcement officer – Shift Leader, Parking Appeal Officers (Hoope)	<p>These functions/powers are exercised in accordance with the council’s single enforcement policy.</p> <p>The parking offences which we enforce are by way of a PCN and are decriminalised (Civil Parking Enforcement).</p> <p>Hoope employees (Parking Appeals Officers) carry out the challenges to penalty charge notices under the management of the council.</p>	
43.	Disabled Person Parking Badges Act 2013 – ability to seize blue badges and write witness statements.	Service Director Environment and Highways, Parking Services Manager, Principal Parking Enforcement Officer (Lead & City), Principal Parking Enforcement Officer (County), Principal Recovery Officer, Civil Enforcement officer – Shift Leader, Civil Enforcement Officers	These functions/powers are exercised in accordance with the council’s single enforcement policy.	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
44.	Disabled Person Parking Badges Act 2013 – ability to carry out background checks and write witness statements.	Service Director Environment and Highways, Parking Services Operational Officers, Parking Services Manager, Principal Parking Enforcement Officer (Lead & City), Principal Parking Enforcement Officer (County), Principal Recovery Officer, Civil Enforcement officer – Shift Leader		
45.	Disabled Person Parking Badges Act 2013 – ability to investigate cases of blue badge misuse and produce prosecution files.	Service Director Environment and Highways, Parking Services Manager, Principal Parking Enforcement Officer (Lead & City), Principal Parking Enforcement Officer (County), Principal Recovery Officer		
Street Trading				
46.	Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – Enabling street trading to be regulated within the county	Service Director Economy and Growth, Head of Regulation and Technical Services or	Applications are assessed and undergo a consultation period, with various interested parties. All comments are then presented to the Head of service for the final decision.	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	and adopted by the council in 1998.	his nominated deputy (Head of Service)		
47. A	Section 115E of the Highways Act 1980 – Control of pavement cafes with Highways Amenity Licences.	Service Director Economy and Growth, Head of Regulation and Technical Services, Direct Services Manager, Licensing Officer Street Trading	New applications suspended indefinitely.	
47. B	Section 3 of the Business and Planning Act 2020 – Pavement Licences.	Service Director Economy and Growth, Head of Regulation and Technical Services, Licensing, Travellers and Technical Support Service Manager Direct Services Manager, Licensing Officer Street Trading. Principal Licensing Officer	Licences are issued to permit tables and chairs to be placed on the highway in relation to consumption of food and drink (both alcoholic and non-alcoholic). Applications for premises without alcohol are dealt with by the Licensing Officer Street Trading. Applications for premises with alcohol are dealt with by the Principal Licensing Officer. Appeals are dealt with by the Licensing Sub-committee.	
47.C(a)	To act on behalf of the council in respect of the rights and obligations in respect of the ancient charter fair which is held in the City of Hereford on the Tuesday, Wednesday, Thursday following the first Monday in the month of May.	Service Director Economy and Growth, Head of Regulation and Technical Services	Power to negotiate Agreement for the holding of the fair Right to vary or cancel the date of the fair and/or vary the sites to be used in the holding of the fair	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
47.C(b)	To act on behalf of the council in respect of the rights and obligations in respect of the ancient charter fair which is held in the Town of Leominster on the Thursday, Friday and Saturday preceding the first Monday in the month of May.	Service Director Economy and Growth, Head of Regulation and Technical Services	Power to negotiate Agreement for the holding of the fair Right to vary or cancel the date of the fair and/or vary the sites to be used in the holding of the fair	
Bereavement Services				
48.	To act on behalf of the council in respect of the legislation specified in The Local Authorities' Cemeteries Order 1977 – The council is defined as a burial authority for the provision and maintenance of cemeteries.	Service Director Economy and Growth, Head of Regulation and Technical Services, Direct Services Manager, Bereavement Services Assistant Manager	The council may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery. Where burials take place the order regulates the process including regulation of memorials.	
49.	To act on behalf of the council in respect of the legislation specified in The Cremation (England and Wales) Regulations 2008 (amendment 2016).	Service Director Economy and Growth, Head of Regulation and Technical Services, Direct Services Manager, Bereavement Services Assistant Manager	The Cremation (England and Wales) Regulations 2008 ('the 2008 Regulations') make provision about the operation of crematorium in England and Wales, including in relation to the disposal of ashes, and the keeping of records relating to cremations.	
Markets				
50.	Exercise the council's powers under section 50 of the Food Act 1984 and the Hereford Markets	Service Director Economy and Growth, Head of	The Hereford Markets Act 2003 enables the council to operate markets in the city of Hereford, namely the livestock market, the	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Act 2003 to establish and operate street markets in the county.</p> <p>Setting up or the relocating of any market.</p>	<p>Regulation and Technical Services, Direct Services Manager</p>	<p>general markets held in the Butter Market and High Town.</p> <p>All other markets held in the market towns of Ross-on-wye, Kington and Leominster as well as those held in Hereford city are also enabled under section 50 of the Food Act 1984.</p> <p>Both of the above state that market shall not be established in pursuance of this act so as to interfere with any rights, powers or privileges enjoyed within the district in respect of a market by any person, without that persons consent and in consultation with traders.</p>	
51.	<p>Operation and regulation of markets under the section 50 of the Food Act 1984 and the Hereford Markets Act 2003.</p>	<p>Service Director Economy and Growth, Head of Regulation and Technical Services, Direct Services Manager and markets supervisor</p>		
52.	<p>The collection of charges made in relation to any market.</p>	<p>Service Director Economy and Growth, Head of Regulation and Technical Services, Markets Supervisor and Markets Attendant</p>		
<p><i>Rows 53 to 69 no longer used. See Corporate Centre Scheme of Delegation for Property Services functions.</i></p>				

	What the function/power is ¹	Who may carry it out ²	Any constraints/comments ³	Decision (E/C/O ⁴)
Environmental Health & Trading Standards				
70.	<p>To act on behalf of the council in respect of the legislation specified in the foregoing:</p> <p>Activity Centres (Young Persons Safety) Act 1995 Administration of Justice Act 1970 (Section 40) & 1985 African Swine Fever (England) Order 2003 Agricultural Produce (Grading and Marking) Amendment Act 1931 Agriculture (Miscellaneous Provisions) Act 1968 Agriculture Act 1970 Agriculture Produce (Grading & Marking) Acts 1928 & 1931 Animal Boarding Establishment Act 1963 Animal Gatherings (England) Order 2010 Animal Health (Divisional Veterinary Managers) Order 2009 Animal Health Act 1981 & 2002 Animal Health and Welfare Act 1984 Animal Welfare Act 2006 Animals (Miscellaneous Provisions) Order 1927 as amended & 1938</p>	<p>Service Director Economy and Growth, Head of Regulation and Technical Services, Trading Standards Service Manager/Chief Inspector of Weights & Measures, Environmental Health Service Manager, Licensing & Travellers Service Manager, Principal Environmental Officers, Environmental Health Officers, Graduate Environmental Health Officers, Public Protection Officers, HMO and Enforcement Officers, Principal Technical Officer, Senior Technical Officers Principal Trading Standards Officers, Principal Community Protection Officer,</p>	<p>To act as necessary in accordance with the officers' legislative authorisation to ensure compliance with the adjacent listed legislation and in particular to exercise any statutory powers vested in the council but not exclusively of entry, inspection, to break open any container, examination, investigation, taking of measurements and photographs, taking of samples, seizure and detention of goods articles and documents, requiring the production of books and documents requiring the provision of information, giving of notices and requiring other facilities and assistance necessary to enable the council to perform its statutory powers and duties in relation to the enforcement of legislation.</p> <p>Also all officers are authorised to administer a caution when investigating any possible criminal offences and to appear in any proceedings before a Court.</p> <p>All officers can also issue verbal warnings, penalty warning notices, fixed penalty notices, infringement advice notices and officer written warnings.</p> <p>The Service Director Economy and Growth, Head of Regulation and Technical Services, Trading Standards Service Manager, Environmental Health Service Manager, Licensing & Travellers Service Manager,</p>	C

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Animals (Post-Import Control) Order 1995 Anthrax Order 1991 as amended Anti-Social Behaviour Act 2003 Anti-Social Behaviour, Crime and Policing Act 2014 Aujeszky's Disease Order 1983 Avian Influenza & Influenza of Avian Origin in Mammals (England) (No.2) Order 2006 Avian Influenza (H5N1 in Poultry) (England) Order 2006 Avian Influenza (H5N1 in Wild Birds) (England) Order 2006 Avian Influenza (H5N1) (Miscellaneous Amendments) Order 2007 Avian Influenza and Newcastle Disease (Biosecurity Guidance and Disease Control) (Slaughter) Protocol (England & Wales) Order 2003 Avian Influenza and Newcastle Disease (Contingency Planning) (England) Order 2003 Avian Influenza and Newcastle Disease (England & Wales) Order 2003 Bluetongue (No. 2) Order 2007 (Revoked except for Article 17) Bluetongue Order 2003 (Revoked except for Article 18)</p>	<p>Trading Standards Officers, Trading Standards Practitioners, Enforcement Officers, Enforcement Officer (education), Senior Animal Health & Welfare Officer, Animal Health & Welfare Officers, Licensing Officers, Senior Enforcement Officers, Licensing Assistants and Gypsy Traveller & Licensing Assistant</p>	<p>Principal Trading Standards Officers, Principal Environment Health Officers, Trading Standards Officers, Environment Health Officers, Graduate Environmental Health Officers, HMO & Enforcement Officers, Trading Standards Practitioners, Licensing Officers, Senior Enforcement Officers, Enforcement Officers, Senior Animal Health and Welfare Officers, Animal Health and Welfare Officers can serve statutory enforcement notices, orders and community protection notices.</p> <p>The Service Director Economy and Growth, Head of Regulation and Technical Services, Trading Standards Service Manager, Environmental Health Service Manager, Licensing & Travellers Service Manager, Principal Trading Standards Officers, Principal Environment Health Officers, Licensing Officers and the Enforcement Officers (Education) can issue formal written warnings, authorise entry search warrants and sign any licence/registration documents or tenancy/pitch agreement on behalf of the council.</p> <p>The Trading Standards Service Manager and the Environmental Health Service Manager can authorise any RIPA application on behalf of the council for any regulatory legislation, as listed in the left hand column.</p>	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Botulinum Toxin and Cosmetic Fillers (Children) Act 2021 Breeding and Sale of Dogs (Welfare) Act 1999 Breeding of Dogs Act 1973 & 1991 & 1999 Brucellosis (England) Order 2000 as amended Building Act 1984 Business and Planning Act 2020 Cancer Act 1939 Caravan Sites and Control of Development Act 1960 Cattle Plague Order 1928 as amended Charities Act 1992 Children and Young Persons (Protection from Tobacco) Act 1991 Children and Young Persons Act 1933 (Section 7) Children and Young Persons Act 1963 (Section 37) Cigarette Lighter Refill (Safety) Regulations 1999 Cinemas Act 1985 Civic Amenities Act 1967 Classical Swine Fever (England) Order 2003 Clean Air Act 1993 Clean Neighbourhoods and Environment Act 2005 Companies Act 1985 & 2006</p>		<p>The Service Director Economy and Growth, Head of Regulation and Technical Services can act as the informant on behalf of the council, with the exception of weights and measures legislation where only the Trading Standards Service Manager/Chief Inspector of Weights & Measures can act as the informant.</p> <p>The Service Director Economy and Growth, Head of Regulation and Technical Services can also suspend or revoke any taxi or dual driver's or operator's licence.</p> <p>The Counter Fraud Specialist restricted to the Companies Act, Fraud Act, Money Laundering Regulations and Proceeds of Crime Act.</p> <p>A Service Director or the Head of Regulation and Technical Services can make a decision in relation to the eviction of any person(s) on council land constituting an unauthorised encampment. In the case of an eviction of a tenant from one of the council's own traveller sites, this decision must be made by a Service Director.</p>	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Company Directors Disqualification Act 1986 Consumer Credit Act 1974 & 2006 Consumer Protection Act 1987 Consumers, Estate Agents and Redress Act 2007 Control of Pesticides Regulations 1986 Control of Pollution (Amendment) Act 1989 Control of Pollution Act 1974 Control of Salmonella in Broiler Flocks Order 2009 Control of Salmonella in Poultry Order 2007 Control of Salmonella in Turkey Flocks Order 2009 Copyright, Designs and Patents Act 1988 Copyright, etc and Trade Marks (Offences and Enforcement) Act 2002 Coronavirus Act 2020 Criminal Attempts Act 1981 Criminal Justice and Police Act 2001 Criminal Justice and Public Order Act 1994 Criminal Law Act 1977 Dangerous Dogs Act 1991 Dangerous Wild Animals Act 1976</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	Deer Act 1991 Deregulation and Contracting Out Act 1994 Development of Tourism Act 1969 (Section 18) Disease Control (England) Order 2003 as amended Diseases of Animals (Approved Disinfectants) (England) Order 2007 Diseases of Poultry (England) Order 2003 Dogs (Fouling of Land) Act 1996 Dogs Act 1906 (Section 3) Education Reform Act 1988 Energy Act 1976 (Section 18) Energy Act 2011 Energy Act 2013 Energy Conservation Act 1981 (Section 20) Education Act 1996 Enterprise Act 2002 Environment Act 1995 Environment and Safety Information Act 1988 Environmental Protection (Non-Refillable Refrigerant Containers) Regs 1994 Environmental Protection Act 1990 Enzootic Bovine Leukosis (England) Order 2000			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Equine Infectious Anaemia (Compensation) (England) Order 2006 Equine Viral Arteritis Order 1995 Estate Agents Act 1979 European Communities Act 1972 (EC Tab) Explosives Act 1875 Explosives Regulations 2014 Export of Horses (Excepted Cases) Order 1969 Export of Horses (Protection) Order 1969 Export of Horses (Veterinary Examination) Order 1966 Export of Horses and Ponies (Increase in Minimum Values) Order 1978 Export Quarantine Stations (Regulation) Order 1973 Factories Act 1961 Fair Trading Act 1973 Farm and Garden Chemicals Act 1967 Feed (Hygiene and Enforcement) (England) Regulations 2005 Fire Safety and Safety of Places of Sport Act 1987 Fireworks Act 2003 Food Act 1984 Food and Environment Protection Act 1985 (FEPA Tab)</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	Food Safety Act 1990 (as amended) Food Safety and Hygiene (England) Regulations 2013 Foot and Mouth Disease (England) Order 2006 Foot and Mouth Disease (Packing Materials) Order 1925 as amended Forgery and Counterfeiting Act 1981 (Part I) Fraud Act 2006 Game Act 1831 Game Licences Act 1860 Gambling Act 2015 Hallmarking Act 1973 Hares (Control of Importation) Order 1965 Health Act 2006 Health and Safety at Work etc. Act 1974 (HSWA Tab) Hereford City Council Act 1985 Hereford City Council Byelaws 1997 Housing Act 1985 (EHH Tab) Housing Act 2004 (EHH Tab) Housing and Planning Act 2016 (EHH Tab) Housing Grants, Construction and Regeneration Act 1996 (EHH Tab) Hypnotism Act 1952			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Importation of Animal Products and Poultry Products Order 1980 as amended Importation of Animals Order 1977 as amended (Articles 4(1), 5(6), 5(7), 6 & 15 Do Not Apply to England and Scotland) Importation of Animals Pathogens Order 1980 Importation of Birds, Poultry and Hatching Eggs Order 1979 Importation of Embryos, Ova and Semen Order 1980 as amended Importation of Hay and Straw Order 1979 Importation of Processed Animal Protein Order 1981 as amended Importation of Salmonoid Viscera Order 1986 Individual Ascertainment of Value (England) Order 2005 Infectious Diseases of Horses Order 1987 Intoxicating Substances (Supply) Act 1985 Knives Act 1997 Land Drainage Act 1991 Late Night Refreshment Houses Act 1969 Legislative Reform (Local Government) (Animal Health Functions) Order 2009 Licensing Act 2003</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	Litter Act 1983 Local Government (Miscellaneous Provisions) Act 1976 Local Government (Miscellaneous Provisions) Act 1982 Local Government Act 1972 Local Government and Housing Act 1989 Lotteries and Amusements Act 1976 Manufacture and Storage of Explosives Regulations 2005 Medicines Act 1968 Medicines and Medical Devices Act 2021 Mobile Homes Act 1983 Motor Cycle Noise Act 1987 Motor Vehicles (Safety Equipment for Children) Act 1991 Money Laundering Regulations 2007 Movement of Animals (Records) Order 1960 as amended Movement of Animals (Restrictions) (England) Order 2002 as amended National Assistance (Amendment) Act 1951 National Assistance Act 1948 National Lottery Act 1993 Noise Act 1996			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	Noise and Statutory Nuisance Act 1993 Offensive Weapons Act 1996 Office Shops and Railway Premises Act 1963 Olympic Symbol etc. (Protection) Act 1995 Open Spaces Act 1906 Pesticides (Fees and Enforcement) Act 1989 Pet Animals Act 1951 Petroleum (Consolidation) Act 1928 Petroleum (Transfer of Licences) Act 1936 Petroleum Consolidation Act 1928 Pigs (Records, Identification and Movement) Order 2007 Pleuro-Pneumonia (Amendment) Order of 1938 (5666) Pleuro-Pneumonia Order 1928 (4605) Poisons Act 1972 Pollution Prevention Control Act 1999 Poultry (Seizure of Hatching Eggs) Order 1990 Prevention of Damage by Pests Act 1949 Prices Act 1974 & 1975 Private Places of Entertainment (Licensing) Act 1967			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Proceeds of Crime Act 2002 Property Misdescriptions Act 1991 Protection From Eviction Act 1977 Protection of Animals Act 1911 Protection of Children (Tobacco) Act 1986 Psittacosis or Ornithosis Order 1953 Public Entertainments Licences (Drug Misuse) Act 1997 The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020 The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) (Amendment) Regulations 2020 The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020</p> <p>The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020</p> <p>The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020</p> <p>The Health Protection (Coronavirus, Wearing of Face Coverings) (England) Regulations 2021</p> <p>The Health Protection (Coronavirus, Restrictions) (Entry to Venues and Events) (England) Regulations 2021</p> <p>The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020</p> <p>The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020</p> <p>The Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 Public Health (Control of Diseases) Act 1984 Public Health Act 1875 Public Health Act 1936 Public Health Act 1961 Public Health Acts Amendment Act 1907 Rabies (Control) Order 1974 Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 as amended Radioactive Substances Act 1960 Rag, Flock and Other Filling Materials Act 1951 Refuse Disposal (Amenity) Act 1978 Regulation of Investigatory Powers Act 2000 (RIPA) Regulatory Reform (Fire Safety) Order 2005 Riding Establishments Act 1964 Riding Establishments Act 1970 Road Traffic (Consequential Provisions) Act 1988 Road Traffic (Foreign Vehicles) Act 1972 Road Traffic Acts 1988 & 1991 Road Traffic Offenders Act 1988 Road Traffic Regulation Act 1984</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Safety of Sports Ground Act 1975 Scotch Whisky Act 1988 Scrap Metal Dealers Act 1964 Sheep & Goats (Records, Identification & Movement) (England) Order 2009 Sheep Scab Order 1997 Shellfish and Specified Fish (Third Country Imports) Order 1992 Solicitors Act 1974 Specified Diseases (Notification & Slaughter) Order 1992 (Revoked insofar as they apply to Bluetongue) Specified Diseases (Notification & Slaughter) Order 2006 Specified Diseases (Notification) Order 1996 (Revoked insofar as they apply to Bluetongue) Spring Traps Approval Order 1995 as amended Sunbeds (Regulation) Act 2010 Sunday Trading Act 1994 Telecommunications Act 1984 Tenant Fees Act 2019 The Children (Performances) Regulations 1968 (as amended) The Dogs (Fouling of Land) Act 1996 The Health Protection (Local Authority Powers) Regulations 2010</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Health Protection (Notification) Regulations 2010 The Health Protection (Part 2A Orders) Regulations 2010 The Hedgerow Regulations 1997 The Private Water Supplies (England) Regulations 2016 Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 Theatres Act 1968 Theft (Amendment) Act 1996 Theft Acts 1968 & 1978 Timeshare Act 1992 Tobacco Advertising and Promotion Act 2002 Tobacco Products Duty Act 1979 Town and Country Planning Act 1990 Town Police Clauses Act 1847 Trade Descriptions Act 1968 Trade Marks Act 1994 Transport of Animals (Cleansing & Disinfection) (England) (No.3) Order 2003 as amended Tuberculosis (Deer) Order 1989 as amended Tuberculosis (England) Order 2007</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Unsolicited Goods and Services Acts 1971 & 1975 Value Added Tax Act 1994 Vehicle (Crimes) Act 2001 Veterinary Surgery (Wing & Web Tagging) Order 2009 Video Recordings Acts 1984 & 1993 & 2010 Warble Fly (Ascertainment of Infestation) (England & Wales) Order 1985 Warble Fly (England & Wales) (Infected Areas) Order 1985 Warble Fly (England & Wales) Order 1982 Water Act 1989 Water Act 2003 Water Industry Act 1991 Weights and Measures Act 1985 (and all Regulations made under it) Welfare of Animals (Transport) (England) Order 2006 Welfare of Animals at Markets Order 1990 as amended Wild Life and Countryside Act 1982 Working Time Regulations 1998 (HSWA Tab) Zoo Licensing Act 1981 Zoonoses Order 1988 & 1989</p> <p>EU Legislation:</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Aerosol Dispensers (EEC Requirements) Regs 1977 The Animal and Animal Products (Examination for Residues and Maximum Limits) Regs 1997 The Animal By Products (Enforcement) (England) Regulations 2013 The Animal By-Products Regulations 2005* as amended The Animal Health & Welfare (Scotland) Act 2006 (Consequential Provisions) (England & Wales) Order 2006* The Animals (Divisional Veterinary Managers) Regulations 2009* The Animals and Animal Products (Import & Export) (England) Regulations 2006* as amended The Avian Influenza (Fees for the Licensed Vaccination of Birds) (England) Regulations 2007* The Avian Influenza (Preventative Measures) (England) Regs 2006 The Avian Influenza (Vaccination) (England) Regulations 2006* The Beef Labelling (Enforcement) (England) Regulations 2000 The Biofuel (Labeling) Regulations 2004 The Bluetongue Regs 2008</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Boiler (Efficiency) Regs 1993 The Bovines & Bovine Products (Despatch Prohibition & Production Restriction) Regs 1997 The Bovines & Bovine Products (Trade) Regs 1999 The BSE (Feeding Stuffs & Surveillance) Regs 1999 The BSE Offspring Slaughter Regulations 1998 The Business Protection from Misleading Marketing Regulations 2008 The Cancellation of Contracts made in a Consumer's Home or Place of Work etc Regulations 2008 The Cat and Dog Fur (Control of Import, Export and Placing on Market) Regs 2008 The Cattle (Identification of Older Animals) Regs 2000 The Cattle Database Regulations 1998 The Cattle Identification Regulations 2007* as amended The Common Agricultural Policy (Wine) (England and Northern Ireland) Regs 2001 The Common Agricultural Policy (Wine) Regs 1996</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Companies (Trading Disclosures) Regulations 2008 The Construction Products Regs 1991 The Consumer Protection (Distance Selling) Regulations 2000 The Consumer Protection from Unfair Trading Practices Regulations 2008 The Crystal Glass (Descriptions) Regs 1973 The Docking of Working Dogs' Tails (England) Regulations 2007* The Ecodesign for Energy-Using Product Regulations 2007 The Eggs & Chicks (England) Regulations 2009* The Electromagnetic Compatibility Regs 1992 The Electro-medical Equipment (EEC Requirements) Regs 1988 The Electronic Commerce (EC Directive) Regulations 2002 The Energy Efficiency (Refrigerators and Freezers) Regs 1997 The Energy Information (Combined Washer-driers) Regs 1997 The Energy Information (Dishwashers) Regs 1999</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Energy Information (Household Air Conditioners) (no 2) Regs 2005</p> <p>The Energy Information (Household Electric Ovens) Regs 2003</p> <p>The Energy Information (Household Refrigerators and Freezers) Regulations 2004</p> <p>The Energy Information (Lamps) Regs 1999</p> <p>The Energy Information (Refrigerators and Freezers) Regs 1994</p> <p>The Energy Information (Tumble Driers) Regs 1996</p> <p>The Energy Information (Washing Machines) Regs 1996</p> <p>The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regs 2007</p> <p>The Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regs 1996</p> <p>The Feed (Hygiene and Enforcement) (England) Regs 2005 as amended</p> <p>The Feeding Stuffs (Enforcement) Regs 1999</p> <p>The Feeding Stuffs (England) Regs 2005 as amended</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Feeding Stuffs (Establishment & Intermediaries) Regs 1999</p> <p>The Feeding Stuffs (Safety Requirements for Feed for Food Producing Animals) Regulations 2004</p> <p>The Feeding Stuffs (Sampling and Analysis) Regs 1999 as amended</p> <p>The Feeding Stuffs Regs 2000</p> <p>The Firework Regs 2004</p> <p>The Food (Suspension of the use of E128 Red 2G as a food colour)(England) Regs 2007</p> <p>The Food Hygiene (England) Regulations 2006</p> <p>The Foot and Mouth Disease (Control of Vaccination) (England) Regulations 2006*</p> <p>The General Food Regulations 2004</p> <p>The General Product Safety Regs 2005</p> <p>The Genetically Modified Animal Feed (England) Regs 2004 as amended</p> <p>The Horse Passports (England) Regulations 2007</p> <p>The Horse Passports Regulations 2009*</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Import and Export Restrictions (Foot & Mouth Disease) (no 6) Regs 2007 The Imported Food Regs 2007 The Manufacture and Storage of Explosives Regs 2005 The Materials and Articles in Contact with Food Regs 2006 and 2007 The Measuring Instruments (Automatic Catchweighers) Regulations 2006 The Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006 The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 The Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006 The Measuring Instruments (Beltweighers) Regulations 2006 The Measuring Instruments (Capacity Serving Measures) Regulations 2006 The Measuring Instruments (Cold-water Meters) Regulations 2006 The Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006 The Measuring Instruments (Material Measures of Length) Regulations 2006 The Measuring Instruments (Non-Prescribed Instruments) Regulations 2006 The Meat (Enhanced Enforcement Powers) (England) Regulations 2000 The Mutilations (Permitted Procedures) (England) Regulations 2007* as amended The Natural Mineral Water, Spring Water & Bottled Water Regs 1999 The Non Commercial Movement of Pet Animals (England) Regulations 2004* The Non-Automatic Weighing Instruments Regs 2000 The Official Controls (Animal Feed and Food)(England) Regs 2006 The Official Feed and Food Controls (England) Regs 2009 The Olive Oil (Marketing Standards) Regs 2003 The Organic Products Regulations 2009*</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Package Travel, Package Holidays & Package Tours Regs 1992</p> <p>The Packaging (Essential Requirements) Regs 2003</p> <p>The Personal Protective Equipment (EC Directive) Regs 2002</p> <p>The Plastic Materials and Articles in Contact with Food (England) Regulations 2006 and 2009 as amended</p> <p>The Plastic Materials and Articles in Contact with Food Regs 1998</p> <p>The Poultry Meat (Water Content) Regs 1984</p> <p>The Products of Animal Origin (Disease Control) (England) Regulations 2008* as amended</p> <p>The Products of Animal Origin (Import and Export) Regulations 1996* as amended</p> <p>The Products of Animal Origin (Third Country Imports) (England) Regulations 2006</p> <p>The Quick Frozen Food Stuffs (England) Regs 2007</p> <p>The Radio Equipment and Telecommunications Terminal Equipment (Amendment) Regulations 2000 as amended</p> <p>The REACH Enforcement Regs 2008</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Registration of Establishments (Laying Hens) (England) Regulations 2003*</p> <p>The Rice Products (Restrictions on First Packaging on the Market) (England) Regs 2006</p> <p>The Salmonella in Turkey Flocks and Slaughter Pigs (Survey Powers) (England) Regulations 2006*</p> <p>The Sheep and Goats (Records, Identification & Movement) (England) Order 2007</p> <p>The Simple Pressure Vessels (Safety) Regs 1991</p> <p>The Supply of Machinery (Safety) Regs 1992</p> <p>The Swine Vesicular Disease Regulations 2009*</p> <p>The Telecommunications Terminal Equipment Regs 1992</p> <p>The Textile Products (Indications of Fibre Content) Regs 1986</p> <p>The Trade in Animals and Related Products Regulations 2011</p> <p>The Transmissible Spongiform Encephalopathies (England) Regs 2008</p> <p>The TSE (England) Regulations 2002 (as amended)</p> <p>The Unfair Terms in Consumer Contracts Regulations 1999</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Wine Regulations 2009 The Working Time Regulations 1998 Transmissible Spongiform Encephalopathies (England) (Amendment) Regulations 2008* Veterinary Medicines Regulations 2008* (Revoked Except Regulation 45(2)) Veterinary Medicines Regulations 2009* Welfare of Animals (Miscellaneous Revocations) (England) Regulations 2007* Welfare of Farmed Animals (England) Regulations 2007* Zoonoses (Monitoring) (England) Regulations 2007* Zootechnical Standards Regulations 1992* as amended.</p>			
Planning Services				
71.	<p>To act on behalf of the council in respect of all land use planning matters administered by the Local Planning Authority under the Town and Country Planning Acts, secondary legislation and any related statutory instruments, including those listed below:</p> <p>Acquisition of Land Act 1981, Anti-Social Behaviour, Crime and Policing Act 2014,</p>	<p>Service Director Economy and Growth, Service Director Environment and Highways, Interim Head of Planning and Building Control, Development Manager (Majors), Development Manager (South and City), Development</p>	<p>Determinations in relation to planning, related applications, appeals and enforcement.</p> <p>To act as necessary in accordance with the officers' legislative authorisation to ensure compliance with the adjacent listed legislation, and in particular to exercise any statutory powers vested in the Council, but not exclusively of entry, inspection, to break open any container, examination, investigation, taking of measurements and photographs, taking of samples, seizure and detention of</p>	C

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Caravan Sites and Control of Development Act 1960, Commons Act 2006, Communities Act 2006, Compulsory Purchase Act 1965, Countryside Act 1968, Countryside and Rights of Way Act 2000, Development Act 1993, Development and Construction Act 2009, Electricity Act 1989, Enterprise and Regulatory Reform Act 2013, Environment Act 1995, Environmental Protection Act 1990, Forestry Act 1967, Greater London Authority Act 1999, Highways Act 1980, Historic Buildings and Ancient Monuments Act 1953, Housing Act 1988, Housing and Planning Act 1986, Housing and Planning Act 2016, Housing and Regeneration Act 2008, Human Rights Act 1998, Infrastructure Act 2015, Land Compensation Act 1961, Leasehold Reform, Housing and Urban Local Democracy, Economic</p>	<p>Manager (North), The Built & Natural Environment Service Manager, Development Manager (Enforcement), Neighbourhood Planning Team Leader, Built and Natural Environment Service Manager, Planning Obligations Manager, Principal Planning Officers, Senior Planning Officers, Planning Officers, Planning Enforcement Officers, Principal Natural Environment Officer, Principal Building Conservation Officer, Senior/Building Conservation Officers, Tree Officer/Arboriculturist, Principal Countryside Recreational Officer, Senior Ecologist</p>	<p>goods articles and documents, requiring the production of books and documents requiring the provision of information, giving of notices and requiring other facilities and assistance necessary to enable the Council to perform its statutory powers and duties in relation to the enforcement of legislation.</p> <p>Also all officers are authorised to administer a caution when investigating any possible criminal offences and to appear in any proceedings before a Court and can also issue verbal warnings and officer written warnings.</p> <p>The Service Director Economy and Growth, Interim Head of Planning and Building Control, Development Manager (Majors), Development Manager (South and City), Development Manager (North), Development Manager (Enforcement), Built & Natural Environment Service Manager, Principal Natural Environment Officer and Principal Building Conservation officer can serve statutory enforcement notices and orders, can issue formal written warnings and authorise entry search warrants.</p> <p>The Service Director for Economy and Regulatory Services, Interim Head of Planning and Building Control, Development Manager (Majors), Development Manager (South and City), Development Manager (North), Development Manager (Enforcement) and the</p>	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Local Government Act 1972, Localism Act 2011, National Parks and Access to the Countryside Act 1948, Natural Environment and Rural Communities Act 2006, Natural Environment and Rural New Planning (Hazardous Substances) Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Act 2008, Planning and Compensation Act 1991, Planning and Compulsory Purchase Act 2004, Pollution Prevention and Control Act 1999, Sustainable Communities Act 2007, Towns Act 1981, Town and Country Planning Act 1990, Wildlife and Countryside Act 1981, The Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990 The Hedgerow Regulations 1997 The Planning (Listed Buildings and Conservation Areas) Regulations 1990</p>		<p>Built & Natural Environment Service Manager can sign any decision notice, consent or licence.</p> <p>The Service Director Economy and Growth and the Deputy Solicitor for the council can authorise any RIPA application on behalf of the Council for any planning or conservation legislation, as listed in the left hand column.</p> <p>The Service Director Economy and Growth can act as the informant on behalf of the Council, for any planning or conservation legislation, as listed in the left hand column.</p>	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Town and Country Planning (Applications) Regulations 1988 The Town and Country Planning (Development Plan) Regulations 1991 The Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 The Town and Country Planning (Inquiries Procedure) Rules 1992 The Town and Country Planning (Use Classes) Order The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) Rules 1992 The Town and Country Planning (Simplified Planning Zones) Regulations 1992 The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 The Planning (Hazardous Substances) Regulations 1992 The Compulsory Purchase of Land Regulations 1994 The Conservation (Natural Habitats, &c.) Regulations 1994 The Highways (Inquiries Procedure) Rules 1994</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Compulsory Purchase by Ministers (Inquiries Procedure) Rules 1994</p> <p>The Town and Country Planning (Environmental Assessment and Permitted Development) Regulations 1995</p> <p>The Town and Country Planning (General Permitted Development) Order 1995</p> <p>Town and country planning, England and Wales, the Town and Country Planning (General Development Procedure) Order 1995 - Department of the Environment</p> <p>The Town and Country Planning (Crown Land Applications) Regulations 1995</p> <p>The Units of Measurement Regulations 1995</p> <p>The Town and Country Planning (Minerals) Regulations 1995</p> <p>The National Park Authorities (England) Order 1996</p> <p>The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999</p> <p>The Planning (Control of Major-Accident Hazards) Regulations 1999</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Town and Country Planning (Trees) Regulations 1999 The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000 The Town and Country Planning (Hearings Procedure) (England) Rules 2000 The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2000 The Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002 The Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002 The Town and Country Planning (Enforcement) (Hearings Procedure) (England) Rules 2002 The Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002 The Town and Country Planning (Enforcement)(Inquiries Procedure)(England) Rules 2002</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Town and Country Planning (Regional Planning) (England) Regulations 2004</p> <p>The Town and Country Planning (Local Development) (England) Regulations 2004</p> <p>The Town and Country Planning (Transitional Arrangements) (England) Regulations 2004</p> <p>The Town and Country Planning (Initial Regional Spatial Strategy)(England) Regulations 2004</p> <p>The Town and Country Planning (Regions)(National Parks)(England) Order 2004</p> <p>The Town and Country Planning (Regional Planning Guidance as Revision of Regional Spatial Strategy) Order 2004</p> <p>Town and Country Planning (Temporary Stop Notice)(England) Regulations 2005</p> <p>The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2005</p> <p>The Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2005</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006</p> <p>The Planning (Applications for Planning Permission, Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2006</p> <p>The Town and Country Planning (General Development Procedure) (Amendment) (No. 2) (England) Order 2006</p> <p>The Town and Country Planning (Control of Advertisements) (England) Regulations 2007</p> <p>The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008</p> <p>The Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2008</p> <p>The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008</p> <p>The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2008</p> <p>The Town and Country Planning (General Permitted Development)</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>(Amendment) (England) Order 2008 The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008 The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009 The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2009 The Planning (Hazardous Substances) (Amendment) (England) Regulations 2010 The Town and Country Planning (Compensation) (No.3) (England) Regulations 2010 The Town and Country Planning (Development Management Procedure) (England) Order 2010 The Infrastructure Planning (Decisions) Regulations 2010 The Town and Country Planning (Fees for Applications and Deemed Applications)</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>(Amendment) (England) Regulations 2010 The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2010 The Town and Country Planning (Regional Strategy) (England) Regulations 2010 The Community Infrastructure Levy Regulations 2010 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2011 Neighbourhood Planning (General) Regulations 2012 Neighbourhood Planning (Referendums) Regulations 2012 The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2012 The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Visits) (England) Regulations 2012 The Regional Strategy for the East of England (Revocation) Order 2012 The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 3) Order 2012 The Town and Country Planning (Tree Preservation) (England) Regulations 2012 The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012 The Neighbourhood Planning (General) Regulations 2012 The Town and Country Planning (Compensation) (England) Regulations 2012 The Town and Country Planning (Local Planning) (England) Regulations 2012 The Planning (Listed Buildings and conservation Areas) (Wales) Regulations 2012 The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 The Town and Country Planning (Appeals) (Written Representations Procedure and</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Advertisements) (England) (Amendment) Regulations 2013 The Planning (Listed Buildings and Conservation Areas) (Amendment No. 2) (England) Regulations 2013 The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013 The Town and Country Planning (Hearings and Inquiries Procedure) (England) (Amendment) Rules 2013 The Town and Country Planning (Section 62A Applications) Procedure and Consequential Amendments) Order 2013 The Town and Country Planning (Section 62A Applications) (Hearings) Rules 2013 The Town and Country Planning (Section 62A Applications) (Written Representations and Miscellaneous Provisions) Regulations 2013 The Growth and Infrastructure Act 2013 (Commencement No. 4) Order 2013 The Town and Country Planning (Fees for Applications Deemed Applications, Requests and Site</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>Visits) (England) (Amendment) Regulations 2013 The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013 The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) (No. 2) Regulations 2014 The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2014 Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 The Town and Country Planning (Compensation) (England) (Amendment) Regulations 2014 The Neighbourhood Planning (General) (Amendment) Regulations 2015 The Town and Country Planning (Compensation) (England) Regulations 2015 The Town and Country Planning (Hearings and Inquiries Procedure) (England)</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>(Amendment and Revocation) Rules 2015 The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 The Town and Country Planning (General Permitted Development) (England) Order 2015 The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 The Town and Country Planning (Compensation) (England) Regulations 2015 The Planning (Hazardous Substances) Regulations 2015 The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) (Amendment) Regulations 2015 The Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) (Amendment) Order 2015 The Town and Country Planning General (Amendment) (England) Regulations 2015</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<p>The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015</p> <p>The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016</p> <p>The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2016</p> <p>The Conservation of Species and Habitats Regulations 2017</p> <p>The Infrastructure Planning Fees (Amendment) Regulations 2017</p> <p>The Planning (Hazardous Substances) (Amendment) Regulations 2017</p> <p>The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017</p> <p>The Town and Country Planning (Compensation) (England) (Amendment) Regulations 2017</p> <p>Self-build and Custom Housebuilding Regulations 2016</p> <p>The Town and Country Planning (Brownfield Land Register) Regulations 2017</p> <p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p>			

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	The Town and Country Planning (Permission in Principle) Order 2017. The Town and Country Planning (Permission in Principle) (Amendment) Order 2017. The Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018.			
72.	Power to make local development order <ul style="list-style-type: none"> Section 61A of the Town and Country Planning Act 1990. 	Service Director Economy and Growth		
73.	Power to modify an existing local development order <ul style="list-style-type: none"> Schedule 4A of the Town and Country Planning Act 1990. 	Service Director Economy and Growth		
Sustainability & Climate Change				
74.	Signing/approval of Local Authority declarations, which are a requirement under flexible eligibility as determined by The Electricity and Gas (Energy Company Obligation) Order 2022 (ECO4 Order) covering the period from the commencement date of the ECO4 Order on 27 July 2022 to 31 March 2026.	Sustainability & Climate Change Manager, Principal Sustainability & Climate Change Officer	Declarations must include households that have been deemed eligible using the criteria outlined in Herefordshire's Statement of Intent	
Highways and Transport				
75.	To act on behalf of the council in respect of the legislation specified in the foregoing: <ul style="list-style-type: none"> Traffic Management Act 2004 	Service Director Environment and Highways, Head of Highways and Traffic	The Traffic Manager may in making arrangements to ensure that the authority has:	

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
	<ul style="list-style-type: none"> • Road Traffic Act 1988 • Cycle Tracks Act 1984 • Highways Act 1980 • National Parks and Access to the Countryside Act 1948 • New Roads and Street Works Act 1991 • Road Traffic Regulation Act 1984 • Town and Country Planning Act 1990 • Town Police Clauses Act 1847 • Traffic Calming Act 1992 • Wildlife and Countryside Act 1981. 	(Traffic Manager designate), Engineering Manager	<p>(a) determined specific policies or objectives in relation to different roads or classes of road in their road network;</p> <p>(b) monitored the effectiveness of –</p> <p style="padding-left: 40px;">(i) the authority's organisation and decision-making processes; and</p> <p style="padding-left: 40px;">(ii) the implementation of their decisions; and</p> <p>(c) assessed their performance in managing their road network.</p> <p>Delivery of actions under these functions shall be carried out where appropriate by the council's Public Realm provider in accordance with the contract in place for the service.</p>	
76.	To enter into agreements pursuant to Section 38 and Section 278 of the Highways Act 1980, issue permissions under Section 184 and display notices under Section 228, including the power to determine the terms and conditions of the above.	Service Director Environment and Highways, Head of Highways and Traffic (Traffic Manager designate), Engineering Manager		
77.	To manage the council's functions in relation to flooding and drainage in compliance with current legislation and policies of the council (including without limitation: <ul style="list-style-type: none"> • Land Drainage Act 1991; 	Service Director Environment and Highways, Directorate Services Team Leader	Delivery of actions under these functions shall be carried out where appropriate by the council's Public Realm provider in accordance with the contract in place for the service.	

	What the function/power is ¹	Who may carry it out ²	Any constraints/comments ³	Decision (E/C/O ⁴)
	<ul style="list-style-type: none"> Flood Risk Regulations 2009; and Flood and Water Management Act 2010). 			
78.	<p>Transport Act 1985 clause 63 – duty to secure socially necessary transport.</p> <p>Transport Act 2000 Section 140 – duty to make information (on bus services) available.</p> <p>Operational measures required to support local transport including:</p> <ul style="list-style-type: none"> Minor variations to subsidised routes/timetables within allocated budgets Planning and procurement of new/varied services in accordance with policy and allocated funding using the council's DPS Review and maintenance of service level agreement with local community transport projects in accordance with allocated budget. Provision of information on bus services. 	Service Director Environment and Highways, Transport Services Manager	<p>Decision to be informed by consultation with users, parish council, local members, portfolio holder where any changes to current provision are likely to have an impact.</p> <p>The core network is defined here. The council's passenger transport policies are here.</p> <p>The Dynamic Purchase Order System for passenger transport services agreed here.</p>	
79.	Transport Act 1985 clause 63 – duty to secure socially necessary transport	Service Director Environment and Highways	All contracts are to be approved at assistant director level or above. Approval level dependent on the financial value of the contract.	

	What the function/power is ¹	Who may carry it out ²	Any constraints/comments ³	Decision (E/C/O ⁴)
	<ul style="list-style-type: none"> Award of contracts to operate services identified and procured in accordance with policy and allocated budget. 			
80.	<p>Education Act 1996 Section 508/509</p> <p>Operational delivery of school transport and post 16 travel support services comprising:</p> <ul style="list-style-type: none"> Assessment of eligibility for entitled transport with regard to legislation and local adopted policy and in consultation with Childrens & Young People Directorate Procurement of transport services required for entitled riders using the council's DPS Operation of vacant seats scheme and paid for transport Operation of personal transport budget in accordance with policy Publish annual Post 16 policy statement Review and update the school transport policy guidance. 	Head of Highways and Traffic, Transport Services Manager	<p>Council policy on school transport entitlement agreed here.</p> <p>Charge for Post 16 SEN transport agreed here.</p> <p>The Dynamic Purchase Order System for passenger transport services agreed here.</p> <p>School Travel Policy Guidance here.</p> <p>Post 16 Transport Policy Statement here.</p> <p>Education Act 1996 Section 508B; this extends the eligibility criteria and extends eligibility to free home to school transport for low income families</p> <p>Education Act 1996 Section 509AD as inserted by section 84 of the Education and Inspections Act 2006 local authorities are required to have regard to any wish of a parents to have their children provided with education at an establishment on the grounds of the parent's religion or belief, in exercising any of their travel functions.</p> <p>Education and Skills Act 2008 to encourage, enable and assist the participation of young</p>	E

	What the function/power is¹	Who may carry it out²	Any constraints/comments³	Decision (E/C/O⁴)
			people with special educational needs and disabilities up to the age of 25 in education and training.	
81.	(Education Act 1996 Section 508) <ul style="list-style-type: none"> Award of contracts to operate services identified and procured in accordance with policy and allocated budget. 	Service Director Environment and Highways	All contracts are to be approved at assistant director level or above. Approval level dependent on the financial value of the contract.	
82.	Enter into Service Level Agreements with parish councils.	Service Director Economy and Growth, Head of Regulation and Technical Services, CCTV Compliance Manager, Direct Services Manager.	Legal and parish councils	
83.	Setting and collecting charges in accordance with the Environmental Protection Act 1990 and the Controlled Waste Regulations 2012.	Service Director Environment and Highways, Head of Environment, Climate Emergency and Waste Services		
84.	To provide written comments/ bids to organisations such as MHCLG for requisition of grants.	Service Director Economy and Growth	In accordance with the Financial Procedure Rules	O