

## **Template Authorisation detailing legislation for Non-Food EHO**

### **GENERAL DELEGATIONS**

To exercise the rights of entry permitted under the relevant legislation.

To undertake sampling, detention and seizure, of goods and materials as permitted under the

relevant legislation.

To inspect and detain records as appropriate under the relevant legislation.

To make such records, sketches, and take such photographs as are permitted under the relevant

legislation.

To make such registrations as are demanded of right under the legislation and to maintain

appropriate registers.

To advise upon compliance with the relevant legislation and notify any contraventions

To issue simple cautions in accordance with the Service procedures and protocols

To carry out inspections, investigations, interviews sampling, prohibitions, seizures, detentions,

recording, service of notices (including suspension notices), notifications, waivers, transfer,

authorisation, permits and licences and legal proceedings under the legislation applicable, thereto

set out below and including all regulations, orders and statutory guidance made there under, and to

exercise all other relevant powers, including powers of entry as permitted under the relevant

legislation

### **Relevant Legislation**

Accommodation Agencies Act 1953

Administration of Justice Act 1970

Agriculture (Miscellaneous Provisions Act 1968

Ammonium Nitrate Materials (High Nitrogen Content) Safety Regulations 2003

Animals Act 1971

Animal Gatherings Order 2010

Animal Health Act 1981 and 2002, including amendment regulations 1992 and 2005

Animal Health and Welfare Act 1984

Animal Welfare Act 2006

Anti-Social Behaviour Act 2003

- section 54 – Sale of aerosol paint to children
- sections 40, 41, and 42 in relation to noise

Anti-Social Behaviour, Crime and Policing Act 2014

Anthrax Order 1991 & Amendment Order 1996

Aquatic Animal Health (England & Wales) Regulations 2009 and amendment regulations 2011

Avian Influenza & Influenza of Avian Origin in Mammals (England) (No2) Order 2006

Banking Act 1987

Biocidal Products and Chemical (Appointment of Authorities and Enforcement) Regulations 2013

Birmingham Commonwealth Games Act 2020

British Telecommunications Act 1981

Botulinum Toxin and Cosmetic Fillers (Children) Act 2021

Brucellosis (England) Order 2015

Cancer Act 1939 (Section 4)

Caravan Sites and Control of Development Act 1960

Charities Act 2006

Chemical (Hazard information and Packaging for Supply) Regulations 2009

Children and Families Act 2014

Children and Young Persons Act 1933

Children and Young Persons (Protection from Tobacco) Act 1991

Clean Air Act 1993

Clean Neighbourhoods and Environment Act 2005 (Sections 59, 61, 77, 78, 79)

Companies Act 1985, 1989 and 2006

Consumer Credit Act 1974

Consumer Protection Act 1987

Consumer Rights Act 2015

Consumers, Estate Agents and Redress Act 2007

Control of Pollution Act 1974

Copyright, Designs and Patents Act 1988

Courts and Legal Services Act 1990 (Sections 104 to 107)

Control of Pollution (Amendment) Act 1989

Criminal Attempts Act 1981

Criminal Justice Act 1988 (Section 141a)

Criminal Justice and Police Act 2001

Criminal Justice and Public Order Act 1994

Crossbows Act 1987

Customs & Excise Management Act 1979

Dangerous Dogs Act 1991

Dangerous Substances and Explosive Atmospheres Regulations 2002

Dangerous Wild Animals Act 1976

Data Protection Act 2018

Development of Tourism Act 1969

Dogs Act 1871 and 1906

Dogs (Fouling of land) Act 1996

Education Reform Act 1988

Energy Act 1976

Enterprise Act 2002

Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015

Environment Act 1995

Environmental Protection Act 1990

Environmental Protection (Microbeads)(England) Regulations 2017

Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020

Estate Agents Act 1979

Explosives Acts 1875 and 1976

Explosive Substances Act 1883

European Union (Withdrawal) Act 2018

as it continues to give effect to the following Regulations or Orders under which this local authority

has an enforcement duty:

Advanced Television Services Regulations 2003

African Horse Sickness (England) Regulations 2012

Animal By Products (Enforcement) (England) Regulations 2013

Animals and Animal By Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015

Avian Influenza (H5N1 in Poultry) (England) Order 2006

Avian Influenza (H5N1 in Wild Birds) (England) Order 2006

Avian Influenza (Preventative Measures) (England) Regulations 2006

Avian Influenza (Vaccination)(England) Regulations 2006

Biofuel Labelling Regulations 2004

Bluetongue Regulations 2008

Business Protection from Misleading Marketing Regulations 2008

Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008

Cattle Identification Regulations 2007

Classical Swine Fever (England) Order 2003

Construction Products Regulations 2013

Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013

Consumer Protection from Unfair Trading Regulations 2008

Consumer Rights (Payment Surcharges) Regulations 2012

Cosmetic Products Enforcement Regulations 2013 and the EU Cosmetic

Crystal Glass (Descriptions) Regulations 1973

Detergents Regulations 2010

Diseases of Swine Regulations 2014

Electrical Equipment (Safety) Regulations 2016

Electromagnetic Compatibility Regulations 2016

Energy Information Regulations 2011

Energy Performance of Buildings (England and Wales) Regulations 2012

Equine Identification (England) Regulations 2018

Explosives Act 1875

Financial Services (Distance Marketing) Regulations 2004

Fluorinated Greenhouse Gases Regulations 2015

Foot-and-Mouth Disease (Control of Vaccination)(England) Regulations 2006

Footwear (Indication of Composition) Labelling Regulations 1995

Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018

Gas Appliances (Safety) Regulations 1995

General Product Safety Regulations 2005

Horse Passport Regulations 2009

Microchipping of Dogs (England) Act 2015

Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015

Ozone Depleting Substances Regulations 2015

Package Travel and Linked Travel Arrangements Regulations 2018

Packaging (Essential Requirements) Regulations 2015

Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001

Performing Animals (Regulations) Act 1925

Personal Protective Equipment (Enforcement) Regulations 2018

Pet Animals Act 1951

Petroleum (Consolidation) Regulations 2014

Pigs (Records, identification & movement) Order 2011

Planning (Listed Buildings & Conservation Areas) Act 1990 (Part 1 Chapter 11 and Chapter IV, Part III Section 88, 88A and 88B

Redress Schemes for Letting Agencies Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014

Pressure Equipment (Safety) Regulations 2016

Products of Animal Origin (Disease Control)(England) Regulations 2008

Pyrotechnic Articles (Safety) Regulations 2015

Radio Equipment Regulations 2017

REACH Enforcement Regulations 2008

Registration of Establishments (Laying Hens) (England) Regulations 2018

Recreational Craft Regulations 2017

Registration of Establishments (Laying Hens)(England) Regulations 2003

Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement)

Regulations 2013

Sheep and Goats (Records, identification and Movement) (England) Regulations 2009

Simple Pressure Vessels (Safety) Regulations 2016

Specified Products from China (Restrictions on First Placing on the Market) (England) Regulations 2008

Standardised Packaging of Tobacco Products Regulations 2015

Supply of Machinery (Safety) Regulations 2008

Textile Products (Labelling and Fibre Composition) Regulations 2012

Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010

Tobacco and Related Products Regulations 2016

Toys (Safety) Regulations 2011

Trade in Animals and Related Products Regulations 2011

Transmissible Spongiform Encephalopathies (England) Regulations 2018

Transmissible Spongiform Encephalopathies and Animal By Products (amendment etc) (EU Exit) Regulations 2019

Veterinary Medicines Regulations 2013

Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012

Welfare of Animals (Transport) (England) Order 2006

Welfare of Animals at Time of Killing (England) Regulations 2015

Welfare of Farmed Animals (England) Regulations 2007 and 2010

Welfare of Racing Greyhounds Regulations 2010

Working Time Regulations 1998 as amended

Zoonosis (Monitoring) (England) Regulations 2007

Factories Act 1961

Fair Trading Act 1973

Farm and Garden Chemicals Act 1967

Financial Services Act 1986

Fireworks Act 1951 and 2003

Foot and Mouth Disease (England) Order 2006

Forgery and Counterfeiting Act 1981

Fraud Act 2006

Gambling Act 2005

General Product Safety Regulations 2005

Guard Dogs Act 1975

Hallmarking Act 1973

Health Act 2006

Health & Safety at Work etc. Act 1974 and associated regulations

Health & Safety (Enforcing Authority) Regulations 1998

Health and Social Care Act 2008 (Sections 129 and 130 and Schedule 11)

Housing and Planning Act 2016 as it relates to Client Money Protection Schemes

Insurance Brokers (Registration) Act 1977

Insurance Companies Act 1981

Intoxicating Substances (Supply) Act 1985

Knives Act 1997

Law of Property (Miscellaneous Provisions) Act 1989

Legal Services Act 2007

Licencing Act 2003

Local Government Act 1972 Sections 222 and 223 (in respect of RIPA Applications to Magistrates

Court)

Local Government Act 1987

Local Government Act 2003 (Section 120 (in so far as it amends section 15 of the Local Government

(Miscellaneous Provisions) Act to add the regulation of cosmetic piercing and semi-permanent skin

colouring businesses)

Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Local Government and Housing Act 1989

Malicious Communications Act 1988

Medical Devices Regulations 1994

Medicines Act 1968

Medicines and Medical Devices Act 2021

Motor cycle Noise Act 1987

Motor Vehicles (Safety Equipment for Children) Act 1991

National Lottery etc Act 1993

National Assistance Act 1948

Noise and Statutory Nuisance Act 1993

Noise Act 1996

Nurses Agencies Act 1957

Offices Shops and Railway Premises Act 1963

Offensive Weapons Act 1996 Section 6

Offensive Weapons Act 2019

Olympic Symbol etc. (Protection) Act 1995

Poisons Act 1972

Pollution Prevention and Control Act 1999

Prevention of Damage by Pests Act 1949

Prices Act 1974 and 1975

Price Marking Order 2004

Private Water Supply Regulations 2010

Protection of Animals Act 1911

Psychoactive Substances Act 2016

Public health Acts 1936 and 1961

Public Health (Control of Diseases) Act 1984

Rabies (Control) Order 1974

Refuse Disposal (Amenity) Act 1978 in so far as it refers to abandoned vehicles

Registered Designs Act 1949

Regulation of Investigatory Powers Act 2000

Road Traffic Acts 1988 and 1991

Road Traffic (Consequential Provisions) Act 1988

Road Traffic (Foreign Vehicles) Act 1972

Road Traffic Regulation Act 1984

Scrap Metal Dealers Act 2013

Sheep Scab Order 1997

Slaughterhouses Act 1974

Slaughter of Poultry Act 1967

Solicitors Act 1974

Single Use Carrier Bags Charges (England) Order 2015

South Yorkshire Act 1980 (except Section 29)

Sunbeds (Regulation) Act 2010

Sunday Trading Act 1994

Swine Vesicular Disease Regulations 2009

Telecommunications Act 1984

Tenant Fees Act 2019

Theft Act 1968

Timeshare, Holiday Products, Resale and Exchange Contracts) Regulations 2010

Tobacco Advertising and Promotions Act 2002

Town Police Clauses Act 1847

Trade Descriptions Act 1968

Trade Marks Act 1994

Trading Representations (Disabled Persons) Act 1958 and 1972

Trading Schemes Act 1996

Transport of Animals (Cleansing & Disinfectant) (England) Order 2003 and Amendment Order 2007

Unsolicited Goods and Services Acts 1971 and 1975

Vehicles (Crime) Act 2001

Vehicle (Excise) Act 1971

Video Recordings Act 1984

Water Industries Act 1991

Young Persons (Employment) Acts 1938 and 1964

Zoonoses Order 1989

Zoo Licencing Act 1981

Subject to the general proviso below the officer can serve notices signed in their own name

The above delegations relate so far as:-

- (a) The officer is in the current employment of this Council.
- (b) The matters have been delegated to me.
- (c) The requirements for such notices and actions falls within the normal range of Regulatory Services functions provided by the officer under their job description (unless in emergency situations).
- (d) The officer feel sufficiently informed to take action under the relevant legislation.