

REGULATORY AND SUPPORT SERVICES COMMITTEE

1.0 CONSTITUTION

1.1 The Committee shall comprise of 11 members of Council who shall be appointed by Full Council (from the full membership). Its quorum is 5.

2.0 OBJECTIVES

2.1 To formulate policy, monitor and oversee the Service Delivery Plans for the Council's regulatory and support services to achieve the Council's corporate objectives and priorities.

3.0 TERMS OF REFERENCE

3.1 The Committee's terms of reference shall be:-

3.2 To approve and monitor performance against the Service Delivery Plans for the following service areas:-

- Building Control
- Environmental Services
- Housing Services
- Planning
- Waste
- Customer Services
- Financial Services
- HR and Facilities
- Legal Services
- Information Technology

3.3 To approve key policies and procedures as defined within the specific Service Delivery Plans (as defined in paragraph 3.2) and not reserved for full Council, including:

- environmental and enforcement policies and procedures
- Housing Services (Sub strategies to Housing Strategy including the homelessness Strategy and also operational allocation and lettings matters
- criteria for housing grant schemes and conservation area/historic buildings grants
- Waste Strategy and policies/procedures related to procurement and variations to contract including monitoring the implementation of DCLG 'Supporting Weekly Collections' grant
- Council's IT/IS Strategy including e-government and customer access
- Freedom of Information Act/Environmental Information Regulation/Data Protection Act.
- To approve Policy with respect to all aspects of Human Resources (including Equal Opportunities, pay and grading, Child protection and staff survey

3.4 To act as the Council's member body in relation to personnel matters including:

- representing the employers side of the Joint Consultative Committee (via two members) and receive the minutes and any recommendation of the JCC, including local Agreements.

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- determination of requests for early retirement other than for health reasons;
- acting in accordance with the Council's Disciplinary and Grievance procedure including the establishment of a 3 member Appeals Sub Committee.

- 3.5 To consider proposals for closer partnership working for services as defined in paragraph 3.2.
- 3.6 To appoint 'Service Delivery Champions' as defined in the Constitution (2:03(e)) and referred to below.
- 3.7 Approval of matters detailed above must be within the agreed budget and virement rules for the services defined in paragraph 3.2.
- 3.8 To make nominations to any relevant outside bodies for Regulatory & Support Services Committee from the wider membership of the Council for a period of up to 4 years.

4. Delegation to Regulatory and Support Services Committee

- 4.1 Subject to the provisions of the Council's Constitution, the Committee has delegated authority to act on behalf of the Council in relation to the above, unless
- reserved to Council; and
 - delegated to officers under these or the other Committee terms of reference.

5. Delegation to Officers

- 5.1 The Chief Executive or appropriate Head of Service [from 1st September 2014 Chief Executive/ Assistant Director Support Services or Assistant Director Regulatory Service or appropriate Service Manager,] are authorised to act in relation to any matter of immediate urgency, which must be dealt with before the next meeting of the Committee provided:
- the Chairman or Vice-Chairman of the Committee is consulted prior to the delegated decisions being made;
 - the Service Delivery Champion is consulted prior any action taken under this delegated power;
 - spokespersons of minority groups are notified immediately of any action taken under this delegated power;
 - action taken is reported to the next Committee; and
 - it excludes any decision, which is by law expressly vested in the Council.

- 5.2 There shall be delegated to the Chief Executive or appropriate Head of Service [from 1st September 2014 Chief Executive /Assistant Director Support Services or Assistant Director Regulatory Services or Service Manager within their appropriate remit,] the exercise of any power or function of the Council in routine matters related to the implementation of agreed Strategies, Policies and programmes, falling within established policies and procedures and within existing budgets.

For the avoidance of doubt this delegation shall include the power to authorise others to exercise such powers.

This delegation shall not be taken to include any matter reserved to Full Council.

- 5.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters set out below (whether Policy approval,

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monitoring or operational matters have been delegated to a Sub-Committee or not) under the Listed Acts or any amendment, modification or re- enactment of those Acts, or Regulations/Orders made under those Acts:

<p>Health and Safety at Work etc Act 1974 Provisions relating to the health and safety at work of Council employees.</p>	<p>Chief Executive or Head of HR and Facilities Management</p> <p>From 1st September 2014 by: Assistant Director Support Services or HR & Facilities Service Manager</p>
<p>Local Government Act 1972 To make appointments below Chief Executive level.</p>	<p>Chief Executive or Head of HR and Facilities Management</p> <p>From 1st September by: Assistant Director Support Services (in consultation with the HR & Facilities Service Manager</p>
<p>To determine applications for car loans.</p>	<p>Head of Finance</p> <p>From 1st September by: Financial Services Manager</p>
<p>To approve payment of additional increments.</p>	<p>Chief Executive or Head of HR and Facilities Management (in consultation with Human Resources)</p> <p>From 1st September by: Assistant Director Support Services HR & Facilities Manager</p>
<p>To approve overtime payments to officers graded above Scale 6.</p>	<p>Chief Executive or Head of Service (in consultation with Head of HR and Facilities Management)</p> <p>From 1st September 2014 by: Service Manager (in Consultation with HR & Facilities)</p>
<p>To permit staff taking approved correspondence courses or attending evening classes to study during working hours.</p>	<p>Chief Executive or appropriate Head of Service (in consultation with Human Resources)</p> <p>From 1st September 2014 by: HR & Facilities Manager or Service Manager (in Consultation with HR)</p>
<p>To authorise financial assistance to staff undertaking approved courses of study.</p>	<p>Chief Executive or Head of HR and Facilities Management</p> <p>From 1st September by: Assistant Director Support Services</p>

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	HR & Facilities Manager
To administer pension matters on behalf of the Council.	Chief Executive or Head of HR and Facilities Management From 1 st September by: Assistant Director Support Services HR & Facilities Manager
To determine alterations to grades.	Chief Executive or Head of HR and Facilities Management From 1 st September by: Assistant Director Support Services HR & Facilities Manager
To issue notification as to status under the appropriate pension regulations.	Chief Executive or Head of HR and Facilities Management From 1 st September by: Assistant Director Support Services HR & Facilities Manager
Classification of posts as “essential” or “casual” users.	Chief Executive or Head of HR and Facilities Management
To maintain the register of staff interest and hospitality.	Principal Solicitor
To maintain information security policies/procedures.	Head of ICT and Customer Services or Principal ICT Officer (Support and Information Security) From 1 st September 2014 ICT Manager
Determination of the Council’s establishment within existing budgets.	Chief Executive From 1 st September 2014 Assistant Director Regulatory Services
Street name and numbering.	Head of ICT and Customer Services From 1 st September 2014 ICT Manager
Affordable Housing Grant To act as the Councils Signatory to certified claims to the Housing and Communities Agency (HCA)	Principal Housing Officer (Development & Strategy)
Housing Act 1996 (as amended by Homelessness Act 2002) Part VII The Council’s powers and duties to house homeless people who satisfy criteria laid down in the Act and by the Council	Principal Housing Officer (Housing Services)

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Part VII Review of Decisions to determine requests for reviews from applicants against decisions made under the homelessness provisions	Principal Housing Officer (Housing Services)
Building Act 1984 ss. 59, 60-64, 65, 76, 95	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services
Clean Air Act 1993	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or
Clean Neighbourhoods and Environment Act 2005	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services

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<p>Contaminated Land (England) Regulations 2006 (as amended)</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Control of Pollution Act 1974</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Control of Pollution Amendment Act 1989</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Criminal Justice and Public Order Act 1994</p>	<p>Principal Solicitor and Head of Environmental Services</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Crime and Disorder Act 1998</p>	<p>Head of Environmental Services or Principal Solicitor</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Dogs Act 1871</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Dogs (Fouling of Land) Act 1996</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Environment Act 1995</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>

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Environmental Protection Act 1990 (as amended) and all current Environmental Damage, Permitting and Protection Regulations in force	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services
Factories Act 1961	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services
Food and Environmental Protection Act 1985	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services
All current Food Safety and Food Hygiene Regulations in force	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services

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<p>Health Act 2006</p>	<p>All qualified Environmental Health Officers and appropriately authorised Enforcement Officers</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Service of Fixed Penalty Notices</p>	<p>All qualified Environmental Health Officers and appropriately authorised Enforcement Officers</p>
<p><i>Reports to Legal Services</i></p>	<p>All qualified Environmental Health Officers and appropriately authorised Enforcement Officers</p>
<p><i>Preparation of Reports</i></p>	<p>All qualified Environmental Health Officers and appropriately authorised Enforcement Officers</p>
<p>Decision to submit a report to Legal Services</p>	<p>Head of Environmental Services</p> <p>From 1st September 2014 by: Environmental Services Manager or Waste Services Team Leader</p>
<p>Health and Safety at Work Act 1974 and Health and Safety (Enforcing Authority) Regulations 1989</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Housing Act 1985 (as amended by Housing Act 1996) Part X</p> <p>Service of notice and action to prevent overcrowding in houses</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 – Environmental Service Manager or Assistant Director Regulatory Services</p>
<p>Housing Act 1985 (as amended by the Local Government and Housing Act 1989)</p> <p>After consultation with the Head of Finance and Chief Executive to waive the repayment of repairs grants, in accordance with the criteria laid down by the Council.</p>	<p>Head of Environmental Services and Principal Solicitor</p> <p>From 1st September 2014 – Environmental Service Manager or Principal Solicitor</p>
<p>Undertake preliminary action to obtain valuations, identify budget and/or find partnering organisation(s) for recommendation to Community & Environment Committee on purchase/or compulsory purchase orders [for empty properties] in accordance with Acquisition of Land Act 1981/Housing Act 1985 (as amended) legislative procedure.</p>	<p>Head of Environmental Services and Principal Solicitor</p> <p>From 1st September 2014 – Environmental Service Manager or Principal Solicitor</p>

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<p>Local Government and Housing Act 1989 Power to grant and refuse grants</p>	<p>Head of Environmental Services or Head of Finance</p> <p>From 1st September 2014 – Environmental Service Manager or Financial Services Manager</p>
<p>Local Government and Housing Act 1989 Power of entry and penalty for obstruction Section 97</p>	<p>Head of Environmental Services and Principal Solicitor From 1st September 2014 – Environmental Service Manager or Principal Solicitor</p>
<p>Housing Grants, Construction and Regeneration Act 1996 Section 13, 18, 24, 76, 115, 131 Power to grant and refuse applications for grants and discretionary assistance.</p>	<p>Head of Environmental Services or Head of Finance From 1st September 2014 – Environmental Service Manager or Financial Services Manager</p>
<p>Housing Grants, Construction and Regeneration Act 1996 Section 82 Power of Entry.</p>	<p>Head of Environmental Services and Principal Solicitor From 1st September 2014 – Environmental Service Manager or Principal Solicitor</p>
<p>Section 112-114 Power to grant and refuse applications for renovation, disabled facilities, HMO and common parts grants.</p>	<p>Head of Environmental Services or Head of Finance From 1st September 2014 – Environmental Service Manager or Financial Services Manager</p>
<p>Housing Act 2004</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Land Drainage Act 1991</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Litter Act 1983</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Local Government (Miscellaneous Provisions) Act</p>	<p>Head of Environmental Services or</p>

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<p>1976 ss. 16, 20, 35, 50(4), 53(3), 56(3), 56(4), 58(2), 68</p>	<p>Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Mines and Quarries Act 1954</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>National Assistance Act 1968 and National Assistance (Amendments) Act 1951</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Noise Act 1996</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Noise and Statutory Nuisance Act 1973 and 1993</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Noise Insulation Regulations 1973</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Office, Shops and Railway Premises Act 1963</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>The Pollution, Prevention and Control Act 1999 [or The Environmental Permitting (England and Wales) Regulations 2007]</p>	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
<p>Prevention of Damage by Pests Act 1949</p>	<p>Head of Environmental Services or</p>

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	<p>Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
Public Health (Control of Disease) Act 1984	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
Public Health (Infectious Disease) Regulations 1988	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
Public Health Acts 1936 and 1961	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
Rag, Flock and Other Filling Materials Act 1951	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
Refuse Disposal (Amenity) Act 1978	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
Sunday Trading Act 1994	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>
The Products of Animal Origin (Third County Imports) (England) (Amendments) Regulations 2007	<p>Head of Environmental Services or Chief Executive</p> <p>From 1st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services</p>

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Public Health (Control of Disease) Act 1984	Head of Environmental Services or Principal Solicitor From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services
Vehicle (Crime) Act 2001¹ (or to the extent that it is relevant, from commencement the Scrap Metal Dealer's Act 2013 – see relevant delegation)	Head of Environmental Services or Principal Solicitor From 1 st September 2014 by: Environmental Services Manager or Principal Solicitor or Assistant Director Regulatory Services
Waste Minimisation Act 1998	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services
Water Industry Act 1991	Head of Environmental Services or Chief Executive From 1 st September 2014 by: Environmental Services Manager or Assistant Director Regulatory Services

¹ Scrap Metal Dealer's Act 2013 replaces the system of registration for motor salvage, as from 1 October 2013, although transitional provisions apply – see SI 2013/1966. Amendment Monitoring Officer under Article 11.02 (a).