

## **REGULATORY SERVICES**

### **1. LICENSING**

#### **HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)**

**To determine applications made for licences of premises for acupuncture, tattooing, ear piecing and electrolysis**

**To determine applications for the registration of animal trainers and exhibitors**

**To be responsible for inspections of premises are undertaken to ensure compliance with animal welfare licensing legislation and to engage veterinary surgeons for these purposes where necessary**

**To authorise officers for the purpose of Part II of the Local Government (Miscellaneous Provisions) Act 1976**

**To be designated as “Proper Officer” for the provisions of the Breeding of Dogs Act 1973 and to act on behalf of the Council in respect of the provisions of the Act and to engage veterinary surgeons for the purpose of inspecting premises under the Act**

**To determine applications for house to house and street collections**

**To respond to applications where the Council is a responsible authority or consultee**

**To be designated as “Proper Officer” for the purposes of the administration of the Dangerous Wild Animals Act 1976 and to be authorised to carry out all appropriate functions including the entering of premises**

**To authorise the entry of premises for the purpose of enforcing the provisions of the following legislation on behalf of the Council:**

- Animal Boarding Establishments Act 1963
- Breeding of Dogs Act 1973
- Gambling Act 2005
- Licensing Act 2003
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982
- Town Police Clauses Act 1847
- Zoo Licensing Act 1981

**To determine all matters under the Gambling Act 2005 except:**

- Determination of fee levels
- Applications for aviations to premises licences, provisional statements, club

## **PART 3 (PART D)**

gaming/club machine permits and other permits where representations have been received and not withdrawn

- Applications for transfer of premises licences where representations have been made by the Gambling Commission
- Review of premises licenses
- Decision to give a counter notice to a temporary use notice
- Refusal of applications for registration by societies wishing to promote lotteries

### **Hackney Carriages and Private Hire Operators', Vehicles and Drivers'**

#### **To determine all matters in relation to Hackney Carriage Drivers and Private Hire Operators, Vehicles and Drivers except:**

- Determination of applications where the applicant does not meet the Council's application criteria
- Suspension or revocation of a licence, unless suspension is required with immediate effect because there are grounds to show that the driver or operator has ceased to meet the Council's requirements as to medical condition or in any case where the holder has been convicted of an offence involving violence, indecency or the misuse/trafficking of drugs, or for any other material reason, subject to a report being made to the next meeting of the Licensing Committee.
- Determination of an application where the vehicle does not meet the Council's criteria as to mechanical and general condition and to determine how many passengers may be carried, unless suspension is required with immediate effect because there are grounds to show that the vehicle is not fit for purpose in accordance with section 60 or 68 of the Local Government (Miscellaneous Provisions) Act 1976, subject to a report being made to the next meeting of the Licensing Committee.
- Revocation of a licence where the applicant knowingly or recklessly gave false information or failed to reveal a material particular on his application
- Revisions to the Council's Table of Hackney Carriage Fares
- Appointment of Hackney Carriage stands/ revisions to existing Hackney Carriage stands
- Applications for Operator's licenses where the applicant has not met the Council's criteria in respect of character

#### **To determine all matters under the Licensing Act except:**

- Application to vary designated premises supervisors if representations are made
- Applications for personal licences, premises licences/ club premises licences and provisional statements where representations have been received
- Applications for Interim Authorities if a police representation is made
- Application to vary premises licences/ club premises certificates if representations are made
- Applications to review premises/ club premises certificate
- Any interim steps following an application for an expedited review
- Determination of Temporary Event Notices where representations have been **made** by the police
- Applications to transfer premises licences if representations are made
- Applications for minor variations if representations are made by the Police.

**To determine all matters relating to Market and Street Trading except:**

- Designation of consent streets and non consent streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982
- Deciding the Council's policy in relation to the issue of street trading consents

**To determine applications for licences for riding establishments**

**To determine applications for Zoo Licensing**

**To carry out any other function or responsibility in relation to the legislation listed at RS1 not specifically referred to above**

**RS1**

- Animal Boarding Establishments Act 1963
- Animal Welfare Act 2006
- Breeding and Sale of Dogs (Welfare) Act 2006
- Breeding of Dogs Act 1973 and 1991
- Dangerous Wild Animals Act 1976
- Gambling Act 2005
- Licensing Act 2003
- Local Government (Miscellaneous provisions) Acts 1976 and 1982
- Pet Animals Act 1951
- Police Factories Act (miscellaneous provisions) Act 1916
- Riding establishments Acts 1964 and 1970
- Scrap Metal Dealers Act 1964
- Vehicle Crime Act 2001 - Section 4 (13) – Motor Salvage Operators
- Town Police Clauses Act 1847
- Video Recordings Act 1984 and 1993
- Licensing Act 2003
- Hackney carriage licensing
- Private Hire (including driver, vehicle and operator) licensing
- Control of sex establishments (including lap dancing and sexual entertainment venues)
- Street Trading
- Street amenity licences
- Zoo Licensing Act 1981

**2. ENVIRONMENTAL HEALTH**

**HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)**

**(i) In accordance with the legal agreement for Regulatory Services Shared Service, the Council has delegated to the Head of Service of Worcestershire Regulatory Services all the duties and functions listed below arising out of the legislation set out in Appendix RS 2.**

- (a) Appointment of Inspectors, Authorised Officers or similar designated persons
- (b) Undertaking inspections and investigation of complaints
- (c) Signing and service of notices
- (d) Signing and issuing, revoking and varying, any licence, permit, order or other document
- (e) Executing, or arranging for the execution of, works in default
- (f) Purchasing or otherwise procuring samples, seize equipment, goods and animals
- (g) The exercise of powers of entry
- (h) The engagement of specialist advisors/contractors to support/ supplement service activity,
- (i) The institution of legal proceedings (in consultation with the Head of Legal Services of the Relevant Authority)
- (j) The obtaining of warrants of entry

**(ii) The Head of Service has authority to delegate further, in writing, all or any of their delegated functions to other officers, and may authorise certain of those officers to further delegate to officers under their management or control.**

**RS2**

Accommodation Agencies Act 1953

Administration of Justice Act 1970 (Section 40)

Agriculture (Safety, Health & Welfare Provisions) Act 1956

Agriculture Act 1970

Agriculture Produce (Grading & Marking) Acts 1928 & 1931

Animal Boarding Establishments Act 1963

Animal By-Products Regulations 2005  
Animal Health & Welfare Act 1984  
Animal Health Act 1981  
Animal Health Act 2002  
Animal Welfare Act 2006  
Animals and Animal Products (Import & Export) (England) Regs 2006  
Anti-Social Behaviour Act 2003  
Avian Influenza (Preventative Measures)(England) Regulations 2006  
Avian Influenza (Vaccination)(England) Regulations 2006  
Biofuel (Labelling) Regulations 2004  
Bluetongue Regulations 2008  
Breeding and Sale of Dogs (Welfare) Act 1999  
Breeding of Dogs Act 1973 and 1991  
Building Act 1984  
Business Protection from Misleading Marketing Regulations 2008  
Cancellation of Contracts made in a Consumers House or Place of Work etc Regulations 2008  
Caravan Sites Act 1968  
Caravan Sites and Control of Development Act 1960  
Cat and Dog Fur (Control of Import, Export and Placing on Market) Regulation 2008  
Cattle Identification Regs 2007  
Charities Act 1993  
Children & Young Persons (Protection from Tobacco) Act 1991  
Children & Young Persons Act 1933  
Chronically Sick and Disabled Persons Act 1970  
Cinemas Act 1985  
Civic Amenities Act 1967  
Civil Defence Act 1948 and Regulations made thereunder  
Clean Air Act 1993  
Clean Neighbourhoods and Environment Act 2005  
Construction Products Regulations 1991  
Consumer Credit Act 1974  
Consumer Protection (Distance Selling) Regulations 2000  
Consumer Protection Act 1987

Consumer Protection from Unfair Trading Regulations 2008  
Control of Pollution Act 1974  
Copyright, Designs and Patents Act 1988  
Criminal Justice and Immigration Act 2008  
Criminal Justice and Public Order Act 1994  
Crystal Glass (Descriptions) Regs 1973  
Dangerous Wild Animals Act 1976  
Deer Act 1991  
Defective Premises Act 1972  
Development of Tourism Act 1969 (Section 18)  
Disabled Persons Act 1981  
Distance Selling Regulations 2000  
Ecodesign for Energy-Using Product Regulations 2007  
Education Reform Act 1988  
Eggs (Marketing Standards) Regulations 2005  
Eggs and Chicks (England) Regulations 2008  
Electromagnetic Compatibility Regs 1992  
Electro-medical Equipment (EEC Requirements) Regs 1988  
Energy Act 1976 (Section 18)  
Energy Conservation Act 1981 (Section 20)  
Energy Efficiency (Refrigerators and Freezers) Regs 1997  
Energy Information (Combined Washer-driers) Regs 1997  
Energy Information (Dishwashers) Regs 1999  
Energy Information (Household Air Conditioners) (No.2) Regulations 2005  
Energy Information (Household Electric Ovens) Regulations 2003  
Energy Information (Household Refrigerators and Freezers) Regs 2004  
Energy Information (Lamps) Regs 1999  
Energy Information (Tumble Driers) Regs 1996  
Energy Information (Washing Machines) Regs 1996  
Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007  
Enterprise Act 2002  
Environment Act 1995

**PART 3  
(PART D)**

Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regs 2002

Environmental Protection Act 1990

Estate Agents Act 1979

Explosives Act 1875

Export Restrictions (Foot and Mouth Disease) Regulations 2007

Factories Act 1961

Fair Trading Act 1973

Farm and Garden Chemicals Act 1967

Feed (Hygiene and Enforcement) (England) Regulations 2005

Firework Act 2003

Firework Regulations 2004

Food & Environmental Protection Act 1985

Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009

Food (Suspension of the use of E128 Red 2G as food colour) (England) Regulations 2007

Food Act 1984

Food Hygiene (England) Regulations 2006

Food of Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes)(England) Regs 2009

Food Safety Act 1990

Food Standards Act 1999

Forgery and Counterfeiting Act 1981 Part 1

Fraud Act 2006

Game Act 1831

General Food Regulations 2004

General Product Safety Regulations 2005

Guard Dogs Act 1975

Hallmarking Act 1973

Health & Safety at Work etc Act 1974

Health Act 2006

Highways Act 1980

Home Energy Conservation Act 1995

Home Information Pack Regulations 2007

Home Safety Act 1961  
Horse Passports Regulations 2009  
House to House Collections Act 1939  
Housing & Planning Act 1986  
Housing Act 1980, 1985, 2004  
Hypnotism Act 1952  
Imported Food Regulations 1997  
Imported Food Regulations 2007  
Intoxicating Substances (Supply) Act 1985  
Land Drainage Acts 1976 & 1991  
Litter Act 1983  
Local Government & Housing Act 1989  
Local Government (Miscellaneous Provisions) Acts 1976 & 1982  
Manufacturing and Storage of Explosives Regulations 2005  
Materials and Articles in Contact with Food England Regs 2007  
Measuring Instruments (Automatic Catchweighers) Regulations 2006  
Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006  
Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006  
Measuring Instruments (Beltweighers) Regulations 2006  
Measuring Instruments (Capacity Serving Measures) Regulations 2006  
Measuring Instruments (Cold Water Meters) Regulations 2006  
Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006  
Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006  
Measuring Instruments (Material Measures of Length) Regulations 2006  
Measuring Instruments (Non prescribed Instruments) Regulations 2006  
Measuring Instruments (Rail - Weighbridges) Regulations 2006  
Medicines Act 1968  
Mobile Homes Acts 1975 & 1993  
Motor Cycle Noise Act 1987  
National Assistance Act 1948 Sec 47  
Natural Mineral Water, Spring Water & Bottled Water England Regs 1999  
Noise & Statutory Nuisance Act 1993  
Noise Act 1996

Non-Automatic Weighing Instruments (EEC Requirements) Regs 2000  
Offensive Weapons Act 1996  
Offices, Shops & Railway Premises Act 1963  
Official Controls (Animal Feed and Food) (England) Regs 2006  
Official Feed & Food Controls (England) Regs 2007  
Olive Oil (Marketing Standards) Regs 2003  
Olympic Symbol etc. (Protection) Act 1995  
Organic Product Regulations 2009  
Package Travel, Package Holidays & Package Tours Regs 1992  
Packaging (Essential Requirements) Regs 2003  
Party Wall Act 1966  
Performing Animals (Regulation) Act 1925  
Personal Protective Equipment Regulations 2002  
Pet Animals Act 1951  
Petroleum (Transfer of Licences) Act 1936  
Petroleum Consolidation Act 1928  
Planning (Hazardous substances) Act 1990  
Plastic Materials and Articles in Contact with Food England Regs 2009  
Poisons Act 1972  
Police, Factories etc (Miscellaneous Provisions) Act 1916  
Pollution Prevention and Control Act 1999  
Poultry Meat (Water Content) Regs 1984  
Prevention of Damage by Pests Act 1949  
Prices Acts 1974 and 1975  
Private Security Industries Act 2001  
Proceeds of Crime Act 2002  
Products of Animal Origin (Disease Control) (England) Regulations 2008  
Products of Animal Origin (Import and Export) Regulations 1996 (as amended)  
Products of Animal Origin (Third Country Imports) (England) Regulations 2006  
Property Mis-descriptions Act 1991  
Protection of Animals Act 1911 as amended  
Protection of Children (Tobacco) Act 1986  
Public Health (Control of Disease) Act 1984  
Public Health Acts (Amendment) Act 1907

Public Health Acts 1875, 1925, 1936 & 1961  
Quick Frozen Food Stuffs (England) Regulations 2007  
Radio Equipment and Telecommunications Terminal Equipment Regs 2000  
REACH Enforcement Regulations 2008  
Refuse Disposal (Amenity) Act 1978  
Regulation (EC) No. 178/2002  
Regulation (EC) No. 852/2004  
Regulation (EC) No. 853/2004  
Regulation (EC) No. 854/2004  
Regulation (EC) No. 2073/2005  
Rent Act 1977  
Rice Products (Restrictions on First Packaging on the Market) (England) Regs 2006  
Riding Establishments Acts 1964 & 1970  
Road Traffic (Consequential Provisions) Act 1988  
Road Traffic (Foreign Vehicles) Act 1972  
Road Traffic Acts 1988 and 1991  
Road Traffic Offenders Act 1988  
Road Traffic Regulation Act 1984 (Section 5)  
Safety of Sports Grounds Act 1975  
Sale of Goods Act 1979  
Scotch Whisky Act 1988  
Scrap Metal Dealers Act 1964  
Simple Pressure Vessels (Safety) Regs 1991  
Slaughter of Poultry Act 1967  
Slaughterhouses Act 1974  
Smokefree (Exemptions and Vehicles) Regulations 2007  
Smokefree (Penalties and Discounted Amounts) Regulations 2007  
Smoke-free (Premises and Enforcement) Regulations 2006  
Smokefree (Signs) Regulations 2007  
Smokefree (Vehicle Operators and Penalty Notices) Regulations 2007  
Sunday Trading Act 1994  
Supply of Goods and Services Act 1982  
Supply of Machinery (Safety) Regs 1992  
Telecommunications Act 1984

Textile Products (Indications of Fibre Content) Regs 1986  
Theft Acts 1968 and 1978  
Timeshare Act 1992  
Town Police Clauses Act 1847  
Trade Descriptions Act 1968  
Trade Marks Act 1994  
Trading Standards - Agricultural (Miscellaneous Provisions) Act 1968  
Transmissible Spongiform Encephalopathies (England) Regulations 2008  
Unfair Terms in Consumer Contracts Regulations 1999  
Unsolicited Goods and Services Acts 1971 and 1975  
Video Recordings Acts 1984 and 1993  
Warm Homes & Energy Conservation Act 2000  
Water Acts 1973-2003  
Water Industry Act 1991  
Water Industry Act 1999  
Weeds Act 1959  
Weights and Measures Act 1985  
Wildlife and Countryside Act 1981  
Wine Regulations 2009  
Worcester City Act 1985  
Zoo Licensing Act 1981