

SUMMARY OF THE CHANGES MADE TO THE SCHEME OF DELEGATIONS

1. Titular changes have been made throughout the document to accord with changes made to the revised organisation structure (*including changes agreed at the Special Committee meetings on 18th December 2015 and 25th April 2016*).
2. Changes have been made throughout the document in response to changes in legislation (and/or where legislation is no longer applicable or relevant) and case law.
3. The following inter-departmental transfers of responsibility have been made in accordance with changes to the Council's management structures and accountabilities agreed at the Special Committee meetings on 18th December 2015 and 25th April 2016.
 - a. The movement of the functions managed by the Head of Performance, People and Engagement from the Resources Directorate to the Chief Executive's department
 - b. the Head of Education Services to report to the DCS
 - c. the Director of Public Health to report to the DASS
 - d. the Head of Housing Management and Community Safety to report the Board Director Service Delivery
4. The following specific changes have been made in relation to individual delegations of authority.

Subject/ Enabling Statute	Responsible Officer	Authority	Reason for adjustment to scheme
Community Infrastructure Levy Regulations, 2010 (as amended)	DLDS	On the request of the Head of Planning, Regulatory Services and Heritage, to provide advice on the interpretation and application of the CIL Regulations and the issue of the CIL Notices and undertake CIL Enforcement Action.	To align with an existing delegation to the HPRSH

Community Protection Notices <i>Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014</i>	DLDS	At the request of the Head of Housing and Community Safety, to seek Civil Injunctions and where appropriate make applications for breach of Community Protection Notices in accordance with Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014	Approved by Council in February 2015.
Public Space Protection Orders <i>Chapter 2 Anti-Social Behaviour, Crime and Policing Act 2014</i>	DLDS	To make Public Space Protection Orders following consultation with the appropriate Cabinet Member and relevant Officer.	Approved by Council in February 2015. The transfer of this authority to DLDS was subsequently agreed with Heads of Service involved.
Fraud Investigation <i>Social Security Administration Act 1992 & The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013</i>	HRB	In conjunction with Internal Audit, to undertake fraud investigations and implement sanctions.	Revised to include legislative changes and to reflect input from Internal Audit.
Sanitary Conveniences in places serving food <i>Local Government Miscellaneous Provisions Act 1976</i>	DPH and HPRSH	To require the provision of sanitary conveniences for the public in places serving food.	Previously with HCBS

Mapping Services <i>Mapping Services Agreement (MSA)</i>	HCBS	In conjunction with the Director of Law and Democratic Services, to discharge the Council's duties under the MSA.	Previously with HIT
Swindon Foster Panel	DCC	To discharge the Council's functions in respect of maintaining a Central List of persons who are considered to be suitable to be members of the fostering panel	Update as approved in 2015/16
Skin Piercing, Acupuncture and Tattooing <i>Part VIII of the Local Government (Miscellaneous Provisions) Act 1982</i>	HPRSH	To sign certificates of registration and licences of persons carrying on the practice of acupuncture or the business of tattooing, ear piercing or electrolysis. To inspect registered premises and enforce the provisions of the Act.	No longer exercised concurrently with DPH.
Smoking in Public Places <i>Health Act 2006</i>	HPRSH	To exercise the Council's Powers in respect of smoking in public places.	No longer exercised concurrently with DPH
Community Protection Notices <i>Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014</i>	DPH, HHMCS and HPRSH	In consultation with the Director of Law and Democratic Services, to serve Community Protection Notices in accordance with Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 and in the event of a breach serve fixed penalty notices	Approved by Council in February 2015.
Motor Salvage Operators <i>Vehicles (Crime) Act 2001</i>	-	Administration relating to the registration of Motor Salvage Operators and the authority to refuse registrations.	deleted

Closure Notices and Closure Orders <i>Chapter 3 of the Anti-Social behaviour, Crime and Policing Act 2014</i>	HHMCS	In consultation with the Director of Law and Democratic Services, to issue Closure Notices and apply for Closure Orders	In consultation with the Director of Law and Democratic Services, to issue Closure Notices and apply for Closure Orders
Petroleum Licensing	DPH <u>and</u> HPRSH	To exercise the functions of the Council with regard to Petroleum Licensing.	Not shown in previous scheme as concurrent with HPRSH
Temporary Stop Notice <i>Section 171E of the Town and Country Planning Act 1990 (as amended)</i>	HPRSH	Following consultation with the Director of Law and Democratic Services, to issue a temporary Stop Notice.	Concurrently with DLDS
Community Infrastructure Levy Regulations, 2010 (as amended)	HPRSH	To oversee and implement the adoption of, and subsequent operation, enforcement and review of the Community Infrastructure Levy Charging Schedule and all associated documents, including responsibility for financial management, instalment and surcharge policy and the availability of discretionary relief and establishment of the relevant procedures and process.	Revised wording put forward by HPRSH
Requisitions for information <i>Local Government (Miscellaneous Provisions) Act 1976</i>	HPRSH and DPH	To serve requisitions for information as to ownership/occupation on all persons having an interest in premises.	Not shown in previous scheme as being concurrent (DPH and HPRSH)

Entry onto and inspection of land and premises <i>Health and Safety at Work etc. Act 1974</i>	HPRSH and DPH	Where the enabling statute permits, to authorise persons not appointed by this Council to enter upon land or premises in order to carry out their respective duties and in particular, but without prejudice to the generality of this authority, to authorise the Chief Fire Officer and officers of the Fire Brigade to enter upon land or premises for the purpose of examination of means of escape in case of fire in accordance with the Housing Act 1985 and appropriate licensing functions	Not shown in previous scheme as being concurrent (DPH and HPRSH)
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