



Environmental Health & Licensing Enforcement Policy

January 2020

Executive Summary

Mole Valley District Council, through its shared Environmental Health and Licensing service (The Service), is the statutory enforcing authority for a number of legislative provisions across of both Mole Valley District Council (MVDC) and Tandridge District Council (TDC). We have an important role in ensuring activities undertaken by individuals and businesses comply with a wide range of regulatory standards.

This policy describes the key aims, principles, priorities and options open to The Service to secure regulatory compliance and both investigate and, where necessary, undertake enforcement action following breaches of regulations.

The services covered by this policy include Food Safety and Public Health, Licensing and Occupational Health & Safety, Private Sector Housing and Environmental Protection.

It seeks to:

- provide clarity to both our commitment and approach to securing effective public and environmental protection for those who reside, work or visit in the districts;
- provide support to businesses trading in the districts;
- align and underpin the Councils' Strategy, guiding principles and priorities.

It takes as its default position a robust commitment to secure compliance with the most important regulatory requirements, which safeguard essential public protection and environmental protection standards across our entire locality.

The policy also has regard to Government's policy commitments to better regulation and reducing regulatory burdens on business, and looks to support businesses with the most important regulatory requirements in particular the Regulators Code.

The services aim to be fair, open, transparent, proportionate and intelligence-led, focusing resources effectively and efficiently to give value and be valued.

The Service will work closely with other regulatory bodies to ensure effective coordination and collaboration to secure necessary regulatory compliance and outcomes.

We are committed to delivering excellent regulatory services and welcome constructive feedback and comments to further refine our service.

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1.0 Introduction

- 1.1 The Policy is intended to show the approach of Environmental Health and Licensing Service (The Service) to securing regulatory compliance and the options available within legislation used by The Service including that listed in Appendix G.
- 1.2 The main focus will be on the activities that give rise to the most serious risks to the safety and health of the public and/or the environment or where a duty-holder seeks a commercial advantage by breaking the law.
- 1.3 Local Authorities are required to publish a policy setting out their approach to compliance and enforcement by the Regulators' Code which was published by the 'Better Regulation' Delivery Office (now Regulatory Delivery), part of the Department for Business, Energy & Industrial Strategy in April 2014.
- 1.4 The Regulators' Code establishes how Local Authorities and many other defined regulatory bodies should interact with those they regulate. In particular regulators should:
- Carry out their activities in a way that supports those they regulate to comply and grow;
 - Provide simple and straightforward ways to engage with those they regulate and hear their views;
 - Base their regulatory activities on risk;
 - Should share information about compliance and risk;
 - Should ensure clear information, guidance and advice is available to help those they regulate to meet their responsibilities to comply;
 - Should ensure that their approach to their regulatory activities is transparent.
- 1.5 In addition to following the Regulators Code, The Service is committed to recognising the essential needs of businesses, particularly those classed as small to medium enterprises (SMEs) and micro businesses, by providing support and advice to enable them to secure regulatory compliance by means of education. In the event that prevention is unsuccessful, The Service will deliver proportionate and balanced enforcement that underpins 'better regulation' objectives.
- 1.6 The purpose of this document is to provide a general policy that outlines the overarching principles applied to making enforcement decisions taken by The Service. Furthermore the Policy will be taken into account by officers when deciding what action to take when carrying out their statutory duties on behalf of the Councils. The Policy does not directly concern itself with operational matters and is not a definitive procedural guide, but aims to outline the policy issues associated with enforcement decision-making. It defines the approach to

enforcement and instances when enforcement powers are initiated and under what circumstances each action is taken.

1.7 All authorised officers in The Service will take this Policy into account when making enforcement decisions. Any departure from the Policy will only occur in exceptional circumstances and then will be subject to justification after full consideration and authorisation by an officer with delegated power unless there is a significant and/or imminent risk to the public or environment in delaying enforcement. Instances of non-compliance with this Policy will be recorded and reported directly to the Strategic Partnership Manager as soon as is practicable.

2.0 Key Aims of the Environmental Health & Licensing Enforcement Policy

2.1 The Policy:

- Aims to improve regulatory compliance by being better targeted, have greater impact through our interventions and focus on securing compliance in high risk activities.
- Has at its heart an overriding commitment to the principles of 'better regulation' in that our regulatory services will be transparent, fair, consistent, proportionate, intelligence led and adapted to deal with the risks posed by the non-compliant duty holders.
- Takes as its default position a robust commitment to secure compliance with the most important regulatory requirements, which safeguard essential public protection and environmental protection standards across our entire locality.
- Gives guidance to our officers, businesses and the general public on the range of options to achieve compliance with legislation across the key regulatory services provided and enforced by The Service.
- Provides for robust, speedy and effective enforcement, against those that commit the most serious regulatory offences and serial offenders who deliberately and wilfully flout the law, including those who seek to take commercial advantage from such offences.

2.2 All regulatory services within Environmental Health and Licensing are covered by this policy and include, statutory nuisances, contaminated land, air quality, housing conditions, licensing of houses in multiple occupation and caravan sites, food hygiene and safety, occupational health & safety in the workplace, licensing of alcohol & 'public entertainment', gambling, hackney carriages and private hire vehicle.

2.3 National and Local Regulatory Enforcement Policy Requirements – In addition to general principles detailed in the Regulators' Code and this Policy, there will be specific guidance and policy objectives for each of these enforcement teams. This may include national codes, guidance, national priorities, local enforcement priorities, aims, objectives and service standards.

2.3.1 The Service will have regard to these additional requirements whilst undertaking their work. National priority regulatory outcomes for England supported by the Department for Business, Energy & Industrial Strategy are:

- Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment
- Protect the environment for future generations including tackling the threats and impacts of climate change
- Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods
- Help people to live healthier lives by preventing ill health and harm and promoting public health; and
- Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy

2.3.2 The Service will also have regard to the priorities of the Council Strategy of both Mole Valley and Tandridge District Councils.

2.4 Enforcement Principles – The Service recognises that most businesses and individuals want to comply with the law. We will therefore, take care to help business and individuals meet their legal obligations without unnecessary expense, while taking firm action, against those who flout the law or act irresponsibly. All our regulatory interventions will be:

- 2.4.1 Targeted – adapted to the risk posed by the non-compliant activities to provide robust, speedy and effective enforcement against those that commit the most serious regulatory offences and serial offenders who deliberately and wilfully flout the law, including those who seek to take commercial advantage from such offences.
- 2.4.2 Risk-based – Regulatory effort will be directed primarily towards those whose activities give rise to the greatest environmental, safety and public health risks. The Service will use suitable models and tools to enable risks to be assessed and compared and also prioritise regulatory effort following contact from members of the public who provide information about illegal or inappropriate activity.
- 2.4.3 Transparent – we will ensure that where regulatory non-compliance is found, our officers make clear the type of action they propose to take. We will help duty holders understand what is expected of them and what they should expect from us. We will make clear what has to be done and if necessary what does not have to be done. We will do this by clearly distinguishing between legal requirements and recommendations in both verbal and written communications. Where there is a right of appeal or other redress, Officers will advise those affected persons or organisations of this at the time and in writing.
- 2.4.4 Consistent – we aim to achieve consistency in our inspection and enforcement services, recognising that for all businesses, particularly larger national and international business organisations that we regulate, it is important to ensure there is a consistent approach and level playing field. We will ensure that our officers keep apprised of the Primary Authority Partnership Scheme arrangements (see paragraph 3.4), particularly where assured advice has been issued and/or inspection plans have been agreed.
- 2.4.5 Intelligence led – we will adopt an intelligence led approach to our interventions and enforcement actions. We will keep apprised of matters that are relevant to the sectors we regulate at a national, regional and local level

and will closely work with other MVDC and TDC services, other local authorities and national enforcement agencies to share information and intelligence on important regulatory issues and enforcement matters.

- 2.4.6 Accountable – We recognise the importance of the public services we provide and the impact they have on protecting the safety and health of the public, the quality of our local environment and the need for direct accountability for our actions or where we decide not to take action, to the public and stakeholders. The complaints policy for each Council is accessible and published on the MVDC website <http://www.molevalley.gov.uk/index.cfm?articleid=17188> and the TDC website <https://www.tandridge.gov.uk/Report/Compliments-complaints-and-feedback> should the public or stakeholders which to make a complaint about the service we provide. The Service is governed by a Joint Partnership Board which is made up of Councillors and Heads of Service from each Council. The board is the senior level forum for, consultation, discussion and resolution of issues on all aspects of service delivery including ensuring the Service meets its performance indicators.
- 2.4.7 Proportionate – The Service will aim to minimise the costs of compliance for duty holders by ensuring that any action we require is proportionate to risks. We will ensure interventions and enforcement correlate with the relative level of health and safety risks, including the potential or actual harm, or to the seriousness of any breach of the law, by having trained and competent officers who can exercise professional judgement to: -
- Differentiate between different levels of risk or harm;
 - Decide how far short a business has fallen from managing the risks it creates effectively; and,
 - Apply proportionate decision making in accordance with this Policy and related regulatory and industry-accepted guidance.

- 2.5 Power, Duties and Responsibilities of the Council including Officer Delegations – The Service accept they have an important role in discharging a wide range of statutory duties and does this by way of adopting and following a detailed Constitution and associated Scheme of Officer Delegation. This can be viewed on the MVDC website.

3.0 Types of Intervention and Enforcement Carried Out by Environmental Health & Licensing

The Service has a range of interventions and enforcement actions available that enable effective monitoring of activities subject to regulatory control and appropriate actions to secure compliance.

- 3.1 Planned Inspections, Interventions and Surveillance Programmes – These form an important and fundamental part of The Service’s monitoring regime to ensure we meet our statutory duties with respect to our environmental health and wider public protection responsibilities.

- 3.1.1 Planned inspections will be based on the requirements set out by Government and its relevant departments and agencies, and we will have close regard to any relevant codes of practice, statutory guidance and advice issued by them.

- For example the Food Standards Agency's Food Law Code of Practice and the Health and Safety Executive's National Local Authority Enforcement Code.
- 3.1.2 When conducting visits, officers will make their identity known, carry and show their formal written authorisation when requested.
- 3.1.3 Surveillance may include, for example, surveying for potential breaches of notices, checking compliance with licence conditions and monitoring for air quality emissions.
- 3.2 Service Requests– Service requests may be received from various sources including employers, residents, visitors, workers and consumers. The Service aims to action all service requests within five working days of receipt. The nature of the service request will determine the follow up actions necessary in terms of the priority, speed of those actions and resources deployed. They also provide a useful form of intelligence that can help to determine future planned inspections and intervention programmes. In order to make a service request/report non-compliance in MVDC please use web: <https://molevalley-self.achieveservice.com/MyServices> email: env.health@molevalley.gov.uk phone: 01306 885001. In order to make a service request/report non-compliance in TDC please use web: <https://www.tandridge.gov.uk/Report> email: eh@tandridge.gov.uk Phone: 01883 722000
- 3.3 Statutory Notifications and Other Wider Intelligence Sources – This may be where information is provided by other Council services, other local authorities or partners such as Trading Standards, Police, Fire and Rescue, Public Health England, Health and Safety Executive, Food Standards Agency, local businesses and residents. Enforcement agencies may directly notify matters such as serious workplace accidents and incidents, food product safety alerts and recalls, and food poisoning incidents respectively.
- 3.4 Primary Authority Partnership Scheme – Primary Authority Partnerships (PAP) are statutorily based (Regulatory and Enforcement Sanctions Act 2008) and have a key aim to secure regulatory compliance standards across a wide range of regulatory activities in a consistent and proportionate manner. Fundamental to the scheme are partnerships between businesses who trade across more than one local authority boundary and the local authority regulator, normally (but not exclusively), where the businesses head office is based or primary production takes place.
- 3.4.1 There is also provision as part of the partnership agreement for the Primary Authority to produce an inspection plan that includes where enforcement authorities should target any inspection or planned intervention. As an enforcement authority we are required to have regard to any agreed inspection plans and focus our inspection and subsequent actions towards those aspects specifically identified requiring attention in the agreed inspection plan.

4.0 Enforcement of Non-compliant Activities

In assessing what enforcement action is necessary and proportionate, consideration will be given to:

- The seriousness of compliance failure.

- The business's/individual's past performance and current practice.
- The risks being controlled.
- Legal, official or professional guidance.
- The priorities of the council.

4.1 Where the law has been contravened there are a range of enforcement options available to seek compliance with the law. Under normal circumstances a process of escalation will be used until compliance is reached. Exceptions would be where there is a serious risk to public safety or the environment, or the offences have been committed deliberately or negligently, or involve deception, or where there is a significant financial impact of the action.

4.2 No Action – In certain circumstances, contraventions of the law may not warrant any action. This can be where the cost of compliance to the offender outweighs the detrimental impact of the contravention, or the cost of the required enforcement action to the council outweighs the detrimental impact of the contravention on the community. A decision to take no action will only be taken in the event of a minor breach and there is no impact on public safety or environmental damage.

4.3 Informal Verbal or Written Advice – For minor breaches we may only give verbal or written warnings or advice. We will clearly identify any contraventions and advise how to correct them along with a compliance deadline. This timescale will be reasonable and take into account the implications of non-compliance.

4.4 Fixed Penalty Notices (FPNs) – Some legislation offers the use of FPNs as an alternative to taking an offender to court. They are available for lower level offences and can avoid the defendant having a criminal record. Where legislation permits an offence to be dealt with by way of an FPN, we may choose to offer an FPN on a first offence without prior warning or decide to issue a written warning. Some of the legislation that permits the use of FPNs includes:

- Health Act 2006 for smoke-free offences
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

4.4.1 FPNs can be issued by other teams (e.g. within TDC the Locality Team and within MVDC the Joint Enforcement Team) to tackle anti-social behaviour.

4.5 Formal enforcement notices & orders – Some of our powers allow notices to be served requiring the recipient to take specific actions or cease certain activities. Notices may require activities to cease immediately where the circumstances relating to health, public safety, environmental damage or nuisance demand. In other circumstances, the time allowed will be reasonable, take into account the seriousness of the contravention and the implications of non-compliance.

4.5.1 Notices may require work actions to be taken or work to be done in which case the notice shall be of sufficient detail to inform the recipient of what is required.

4.5.2 All notices issued will include details of any applicable appeals procedures

4.6 Works in Default – Some legislation such as the Housing Act 2004, Environmental Protection Act 1990 etc. makes provision for the Council to carry out the works to a property where the person responsible has failed to comply with a notice.

4.6.1 Works in default can be carried out either instead of a prosecution or in addition to a prosecution. There is also the ability for The Service to re-charge for the works and a charge would normally be placed on the property if works in default needed to undertake.

4.6.2 In deciding whether works in default is an option, we must consider the imminent risk to health and safety and whether undue delay would put the occupier, visitors or the public at increased risk. It must also consider whether there are finances in place to carry out the work and what the minimum works required would be to remove the risk.

4.7 Simple/Formal Caution – A Simple Caution is an admission of guilt, but is not a form of sentence, nor is it a criminal conviction. For a Simple/Formal Caution to be issued a number of criteria must be satisfied:

- Sufficient evidence must be available to prove the case.
- The offender must admit the offence.
- It must be in the public interest to use a Simple/Formal Caution.
- The offender must be 18 years or over.

4.7.1 Officers will not offer a Simple/Formal Caution where the offender has already received one for a similar offence within the last 2 years.

4.7.2 If the offender commits a further offence, it may influence our decision to take a prosecution. If during the time the Simple/Formal Caution is in force the offender pleads guilty to, or is found guilty of, committing another offence anywhere in England and Wales, it may be cited in court, and this may influence the severity of the sentence that the court imposes.

4.7.3 Details of all cautions issued are a matter of public record

4.8 Prosecution – A prosecution will normally be undertaken where the individual or organisation carries out one or more of the following actions:

- Deliberately, negligently or persistently breaches the law, likely to cause material loss or harm to others.
- Deliberately or persistently ignores written warnings or formal notices.
- Endangers, the health, safety or well-being of people, animals or the environment.
- Assaults or obstructs an officer in the course of their duties.

4.9 Determining Whether a Simple Caution or Prosecution is Viable and Appropriate – Two 'tests' will be applied to determine whether a Prosecution or Simple Caution is viable and appropriate. The officers will follow guidance set by the Crown Prosecution Service when applying the tests. A Simple Caution or Prosecution will only be progressed when the case has passed both the evidential test and the public interest test.

4.9.1 The Evidential Test – We must be satisfied that there is sufficient evidence to provide a 'realistic prospect of conviction' against each defendant on each

charge. A realistic prospect of conviction is an objective test that means that a jury or bench of Magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a separate test from the one that the criminal courts themselves must apply.

- 4.9.2 **The Public Interest Test** – The public interest will be considered in each case where there is sufficient evidence to provide a realistic prospect of conviction. A serious offence would also include the failure to comply with a Statutory Notice. We will balance factors for and against prosecution carefully and fairly. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect.
- 4.10 **Civil Action** – in some circumstances it may be necessary for the District Councils to consider civil action e.g. under public or private nuisance. A public nuisance is defined as an unlawful act or omission which endangers or interferes with the lives, comfort, property or common rights of the general public. A public nuisance is actionable in tort and can also be a criminal offence (a class of common law offence). A private nuisance usually is caused by a person doing something on his own land, which he is lawfully entitled to do but which becomes a nuisance when the consequences of his act extend to the land of his neighbour by, for example, causing physical damage. A private nuisance is actionable in tort.
- 4.11 **Non-compliance with Licence Conditions** – Licences are issued with specific conditions depending on the type of licence. All conditions on licences have to be complied with and officers will check compliance with the conditions that are attached to your licence. Breaches of licence conditions will be investigated in line with the relevant legislation that the licence has been issued and relevant policies where applicable.

5.0 Other Factors Considered When Using Enforcement Powers

- 5.1 **Liaison with other regulatory bodies and enforcement agencies** – Where appropriate, enforcement activities within Environmental Health and Licensing will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.
- 5.1.1 Where a Primary Authority has been established under the provisions of the Regulatory Enforcement and Sanctions Act 2008, The Service will consult with the Primary Authority and any enforcement plan and instigate action in accordance with their advice. If we do not agree with the Primary Authority, we will liaise with Regulatory Delivery, which is part of the Department for Business, Energy & Industrial Strategy.
- 5.1.2 Where an enforcement matter affects a wide geographical area beyond the District boundary or involves enforcement by one or more local authority or organisation, where appropriate, all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.
- 5.1.3 The Service will share intelligence relating to wider regulatory matters (in accordance with the provisions of the General Data Protection Regulations 2018) with other regulatory bodies and enforcement agencies, including:
- Government Agencies

- Police Forces
- Fire Authorities
- Local Authorities.

5.2 Power of Entry – Officers working in The Service are provided with specific powers of entry by a wide range of legislation. This gives them a right to legally enter defined premises, such as businesses, vehicles or land for specific purposes. Powers of entry include enabling our officers to undertake inspections and investigations for a wide range of regulatory responsibilities including food safety, health and safety, environmental protection and housing legislation, in addition to dealing with emergencies or searching for evidence during those investigations.

5.2.1 Often, the power to enter is accompanied by what are known as ‘associated powers’, which set out what our officers are allowed to do once they have entered the premises. This might, for instance, include conducting a search, seizing relevant items or collecting samples.

5.2.2 In certain cases, for example under Housing Act legislation, where entry is required to a residential property, then a period of notice is usually required to be given to the owner or occupier of the property before entry can be gained.

5.2.3 Officers also have the option to obtain a warrant from a magistrate and enter, at any time by force if necessary to ascertain if an offence has been committed, to gather evidence or to undertake emergency remedial works or works in default.

5.3 Police and Criminal Evidence Act (PACE) 1984 – Our officers will have close regard to the requirements set out in the Police and Criminal Evidence Act and any amendments and current codes relevant to our regulatory enforcement responsibilities. This includes investigation of relevant offences, powers of entry in the course of discharging statutory duties, taking samples to help in gaining necessary evidence and interviewing those suspected of committing offences.

5.4 Regulation and Investigatory Powers Act (RIPA) 2000 – The Act regulates the powers of public bodies to carry out surveillance and investigation, including the interception of communications, and we will ensure we use our powers in accordance with both District Councils Corporate RIPA policies.

5.5 Protection of Human Rights – This Policy and all associated enforcement decisions are subject to the provisions of the Human Rights Act 1998. In particular, due regard will be given to the following:

- Right to a fair trial.
- Right to respect for private and family life, home and correspondence.

5.6 Equalities and Diversity – The enforcement activities covered by this enforcement policy will align with and meet the equality policies and objectives adopted by both District Councils. We will aim to effectively support and promote access to our enforcement services recognising the diversity of the communities we serve and ensure that residents and businesses are treated equally and fairly through the delivery of our services.

5.7 Local Land Charge Register – Notices served under some of the legislation that we enforce will be placed on the local land charges register.

5.8 How to obtain a copy of the Policy, to make comments or to complain – This policy is available on the council's website, www.molevalley.gov.uk

If you would like to comment on the policy, please contact us by:

- telephone; 01306 885001
- e-mail: env.health@molevalley.gov.uk
- in writing to; Environmental Health & Licensing, Mole Valley District Council, Pippbrook, Dorking, Surrey RH4 1SJ

5.8.1 Complaints concerning the service or officers conduct can be made in accordance with the council's complaints procedure available from the above sources.

5.9 Review of the Enforcement Policy – This Policy and appendices will be reviewed on an annual basis.

6.0 Appendices – Additional Guidance on delivery of High Demand Services

6.1 The purpose of the following appendices is to offer service specific guidance in relation to key areas where The Service have high levels of interaction with businesses and the public.

6.2 The Service has a wide range of duties, and powers. These are derived from Primary Legislation as indicated in Appendix G which will be reviewed annually and delegated to specific officers through the Council's Constitution, it is not practicable to detail the enforcement approach of all the areas that we enforce. However, some key areas of legislation are detailed in the following appendices as these are the most common areas of legislation that are enforced and we consider it useful to provide additional guidance on how these matters will be investigated and managed.

6.3 The main areas of work covered by this enforcement policy are:

- **Food Safety:** inspection of food businesses, investigation of complaints about food and food premises, food sampling, advice and training.
- **Occupational Health and Safety:** inspections of workplaces, investigations of accidents at work, investigations of complaints about health and safety at work, advice and training.
- **Pollution Control:** investigating complaints of statutory nuisance, environmental permitting, dealing with contaminated land, tackling poor air quality, investigating complaints of private drainage systems.
- **Public Health:** investigating food poisoning outbreaks and control of communicable disease, dealing with filthy and verminous premises, and control of stray dogs.
- **Licensing:** determining and regulating various licensing and registration functions such as alcohol, entertainment, gambling, taxis and private hire,

animal welfare, skin piercing, scrap metal ,street trading, charitable collections, lotteries.

- **Private Sector Housing:** tackling unsatisfactory housing conditions in private rented accommodation, inspection and licensing of houses in multiple occupation, licensing of caravan sites, housing assistance towards repair and adapting homes.

Appendix A - Food Safety Enforcement

Additional Guidance in Relation to Food Safety Enforcement

The purpose of this appendix is to give further guidance on the provisions of the Food Safety Act 1990 and food legislation made under the European Communities Act 1972. The principles of enforcement are clearly set out in the main enforcement policy. The policy will be followed in conjunction with the Food Standards Agency's (FSA) Statutory Codes of Practice and guidance issued by the FSA.

1.0 Introduction

- 1.1 The Service seeks to ensure that food and drink intended for human consumption, which is produced, stored, distributed, handled or consumed within the districts of Mole Valley and Tandridge, is without risk to the health or safety of the consumer. This will be achieved through both education and enforcement of the regulations.
- 1.2 Only officers who are deemed competent by training, qualification and experience and who meet the criteria in the FSA Statutory Code of Practice will be authorised to undertake enforcement action.
- 1.3 The Service has a range of tools at its disposal in order to secure compliance with the law and to ensure a proportionate response to criminal offences. The powers available are detailed below.

2.0 Enforcement within Food Premises

- 2.1 Statutory Notices will be used only where the guidance criteria specified in the Statutory Code of Practice is fulfilled. Authorised officers will only sign Hygiene Improvement Notices if they have personally witnessed the contravention and are satisfied that it meets the criteria given in this policy. When deciding upon the time period in which the Hygiene Improvement Notice must be complied with, the Officer must discuss with the food business operator or their representative to seek agreement on a suitable period. If agreement cannot be reached then the Officer must consider the cost of the works required, the ease of remedying the non-compliance and the availability of suitable equipment before determining the period for compliance.
- 2.2 Failure to comply with a Hygiene Improvement Notice will in general result in prosecution and officers must therefore be able to justify their actions in accordance with the legislation, this policy and any other relevant guidance.
- 2.3 The use of a Hygiene Emergency Prohibition Notice will be considered when an imminent risk of injury to health can be demonstrated. The officer will consider the guidance criteria specified in the FSA Statutory Code of Practice concerning the conditions when prohibition may be appropriate before service of the Notice.
- 2.4 Consideration must be given to the consequences of not taking immediate and decisive action if the health risk condition is fulfilled and there would be no confidence in the offer made by a proprietor to voluntarily close the premises or cease an operation.
- 2.5 Any accepted voluntary closure must be confirmed in writing by the proprietor and in the knowledge that the voluntary closure will stay in effect until the officer is satisfied that the premises no longer present a serious risk to public health or food safety.

- 2.6 Remedial Action Notices will be used if a continuing offence in an approved premises requires urgent action owing to a risk to food safety. The officer will consider the guidance criteria specified in the FSA Statutory Code of Practice concerning the conditions when a Remedial Action Notice may be appropriate before service of the Notice.
- 2.7 The Service will liaise with, where appropriate, other agencies including local authorities involved with the Primary Authority Partnership Scheme, before enforcement action is taken to ensure consistent and coherent regulation.

3.0 Detention/Seizure

- 3.1 When food has not been produced, processed or distributed in compliance with the regulations an authorised officer may detain or seize the food. Following the detention/seizure the authorised officer will follow the advice set out in the FSA Statutory Code of Practice.
- 3.2 Food will be detained where there are suspicions or indications that food at a particular establishment is unsafe and therefore examination is necessary. Such action will be proportionate to the risk to public health and where immediate action is required to ensure food safety. Decisions on whether to release or seize the food will be made as quickly as is reasonably practicable.
- 3.3 The authorised officer will provide written notification of the detention/seizure as soon as is reasonably practicable.
- 3.4 A Food Condemnation Notification will be given to the person in charge and/or the owner of the food where the officer intends to have the food dealt with by a Justice of the Peace. If the Magistrate does not condemn the food, it will be returned to the owner who will be entitled to compensation for any loss suffered.
- 3.5 A Withdrawal of Detention of Food Notice will be served as quickly as possible when evidence or information indicates that detained food can be released, and in any case within 21 days.

4.0 Revocation of Approvals

- 4.1 Certain food premises require the approval of the authority prior to conducting a business. Formal action will be taken against those premises which require approval but knowingly fail to gain approval before operation.
- 4.2 The Service has the power, in certain circumstances, to revoke a premises approval. To warrant revocation of approval, the individual or organisation must have engaged in one or more of the following criteria;
- fraudulent activity,
 - deliberately or persistently breached legal obligations, which were likely to cause harm to others,
 - deliberately or persistently ignored written warnings or formal notices,
 - obstructed an officer during the course of their duty,
 - endangered, to a serious degree, the health or safety or well-being of the public.

Appendix B - Health and Safety Enforcement

Additional Guidance in Relation to Health and Safety Enforcement

The purpose of this appendix is to give further guidance on the provisions of the Health and Safety at Work etc Act 1974 and regulations made under the Act. The principles of enforcement are clearly set out in the main enforcement policy. All the actions detailed in this appendix shall be carried out in accordance with the provisions of the Policy and current government / Health and Safety Executive (HSE) guidance.

1.0 Introduction

- 1.1 The Service seeks to protect the health, safety and welfare of people at work and to safeguard others, mainly members of the public, who may be exposed to risks from the way work is carried out.
- 1.2 The ultimate purpose of The Service's health and safety enforcement function is to ensure that employers and those having a duty under the Act, manage and control risks effectively thus preventing harm.

2.0 Enforcement of regulated premises

- 2.1 The appropriate use of enforcement powers, including prosecution, is important both to secure compliance with the law and to ensure that those who have a duty under it may be held to account for failures to safeguard the health, safety and welfare of employees or the public. Enforcement is distinct from civil claims for compensation and is not undertaken in all circumstances where civil claims may be pursued, or to assist such claims.
- 2.2 The authorised officer has a range of tools at their disposal in order to secure compliance with the law and to ensure a proportionate response to criminal offences.
- 2.3 An Improvement Notice is served with the broad aim of dealing with serious risks to health and safety, securing compliance with health and safety law and preventing harm.
- 2.4 The notices require offenders to cease activities in contravention of the law or give offenders reasonable time to rectify a contravention. Before an Officer recommends service of an Improvement Notice they must be satisfied of one or more of the following significant contraventions of health and safety legislation and they are likely to continue:
 - Where one or more health and safety contraventions have occurred and they are likely to be repeated.
 - There is a lack of confidence in the business/proprietor's organisation of health and safety management.
 - The business/proprietor has a history of non-compliance.
 - Standards are generally poor and the business/proprietor has little awareness or appreciation of their legal duties or of statutory requirements.
 - Effective action needs to be taken to remedy conditions that are serious and deteriorating.
 - Where there is a risk of ill health or injury, but not so as to warrant a prohibition notice.

2.5 A Prohibition Notice stops work or use of a piece of equipment in order to prevent serious personal injury. A Prohibition Notice will only be considered in the following circumstance:

- When an officer is of the opinion that an activity (or activities) carried on at a premises involve or will involve a risk of serious personal injury. The number of people affected by the risk is not relevant.
- Whilst the risk does not have to be imminent before an immediate prohibition notice can be served; such notices will only be served where a risk of serious personal injury is such as to require action to be taken without delay to control that risk.

2.6 Officers have powers to seize unsafe goods or equipment to prevent it causing harm to people. When goods or equipment are seized an officer will leave an appropriate receipt.

3.0 Investigations

3.1 An Officer shall determine whether incidents, cases of ill health, or complaints should be investigated.

3.2 Investigations are undertaken in order to determine;

- causes,
- whether action has been taken or needs to be taken to prevent a recurrence and to secure compliance with the law,
- lessons to be learnt and to influence the law and guidance,
- what response is appropriate to a breach of the law.

3.3 In deciding what resources to devote to investigations, The Service will have regard to the principles of enforcement set out in this statement and the objectives published in the Health and Safety Executive / Local Authority Enforcement Liaison Committee (HELA) strategic plans. In particular, in allocating resources the council will strike a balance between investigations and mainly preventative activity.

3.4 To maintain a proportionate response, most resources available for investigation of incidents will be devoted to the more serious circumstances. The Service recognises that it is neither possible nor necessary for the purposes of the Act, to investigate all issues of non-compliance with the law which are uncovered in the course of preventive inspections, or in the investigation of reported events.

3.5 In selecting which complaints or reports of injury or occupational ill health to investigate and in deciding the level of resources to be used, the officer will take account of the following factors;

- the severity and scale of potential or actual harm,
- the seriousness of any potential breach of the law,
- knowledge of the duty holder's past health and safety performance,
- the enforcement priorities,
- the practicality of achieving results,
- the wider relevance of the event, including serious public concern

- 3.6 In considering whether the law has been complied with, an Officer will have regard to relevant Approved Codes of Practice (ACOP) and guidance issued by the Health and Safety Executive. The officer will apply sensible judgement about the extent of the risks and the effort that has been applied to counter them.
- 3.7 The Health and Safety Executive Enforcement Management Model (EMM) is a logical system that helps officers make enforcement decisions will be referred to when considering formal action for breaches of the law. Where action taken differs from that indicated by the EMM the reasons for this will be documented and reasonable.

4.0 Death at work

- 4.1 The Service will carry out a site investigation of all reportable work-related deaths that have taken place in a local authority enforced premises. Where there has been a breach of the law leading to a work-related death, The Service will consider whether the circumstances of the case might justify a charge of corporate manslaughter.
- 4.2 The police and Crown Prosecution Service (CPS) have legal responsibility to pursue a charge of manslaughter if appropriate. The Service is responsible for investigating contraventions of health and safety. If in the course of their health and safety investigation The Service finds evidence suggesting that a manslaughter incident may have occurred, they will pass it to the police for their consideration. If the police or the CPS decide not to pursue a manslaughter case The Service may bring a health and safety prosecution in accordance with its policy.
- 4.3 To ensure decisions on investigation and prosecution are closely co-ordinated following a work-related death, the HSE, the Association of Chief Police Officers (ACPO) and the CPS have jointly agreed and published "Work-Related Deaths: A Protocol for Liaison". The Service will take account of this protocol when responding to work-related deaths.

Appendix C - Prescribed Premises for Pollution Control

Additional Guidance in Relation to Installations Prescribed under the Pollution Prevention and Control Act 1999 and Environmental Permitting Regulations 2010

The purpose of this appendix is to give further guidance on the provisions of the above legislation. The principles of enforcement are clearly set out in the main enforcement policy. All the actions detailed in this appendix shall be carried out in accordance with the provisions of the Policy and current government guidance.

1.0 Introduction

Environmental permits are required for an 'installation' such as an industrial facility, manufacturer or other business that produces potentially harmful substances, e.g. a crematorium, a brickworks, a dry cleaners, a petrol station etc. Operators of prescribed installations are required by the Environmental Permitting Regulations 2010 to comply with both procedural and operational conditions. A failure to do so in either case might constitute an offence. The Service recognises that any such offences should be dealt with in a consistent and fair manner and any action by the council should be appropriate, proportionate to the circumstances and in accordance with its policies.

2.0 Enforcement of Regulated Installations

The purpose of enforcement is to ensure that preventative or remedial action is taken to protect the environment or to secure compliance with the regulatory system. The need for enforcement may stem from an unauthorised "incident" or activity or from a breach of the conditions of a permitted activity. Although The Service expects full voluntary compliance with relevant legislative requirements or permit provisions, it will use its enforcement powers where necessary. The Service has a range of tools at its disposal in order to secure compliance with the law and to ensure a proportionate response to criminal offences. The powers available are detailed below.

3.0 Enforcement Notices

Enforcement Notices may be served where the operator is contravening or likely to contravene permit conditions. The authorised officer will consider in each case the advantages of serving an Enforcement Notice, using warning letters or taking court proceedings. The use of an Enforcement Notice may not be appropriate merely to restate what is required by an existing condition. Warning letters will usually be sent and in the event of non-compliance prosecution will be considered.

4.0 Suspension Notices

The Service may serve a Suspension Notice where, in respect of an installation permitted by it, there is a risk of serious pollution. This may or may not involve a contravention of a condition of the permit. Once an Officer is satisfied that the requisite action has been taken, written notification shall be given to the operator and the Notice withdrawn.

5.0 Variation Notices

5.1 The Service will consider the issue of a Variation Notice in respect of permitted installations in the following cases;

- where the operator formally requests a specific variation
- where the operator notifies the Council of a proposed change to the process or installation and the Council determines that a variation is required to accommodate that change

- where the authorised officer believes that the existing conditions attached to an authorisation or permit require amending or additional conditions are required.

6.0 Revocation Notices

The Service may revoke a permit in whole or in part, at any time by service of a Revocation Notice for appropriate reasons. When issuing a Revocation Notice the authorised officer will provide an accompanying letter stating the reasons and effect of the Revocation Notice.

7.0 Operating without a permit

The Service would expect any operator to be aware of the need for a permit and to obtain one before commencing operation. Should an operation be being carried on without a permit the operator will be invited to make a timely application and the additional fee for operating without a permit will apply. Failure to complying after the warning may lead to prosecution of the operator.

Appendix D – Environmental Protection, Public Health and Dog Control Additional Guidance in relation to Environmental Protection Duties

The purpose of this appendix is to give further guidance on the provisions of Environmental Protection, Public Health and Dog Control legislation. The principles of enforcement are clearly set out in the main enforcement policy. All the actions detailed in this appendix shall be carried out in accordance with the provisions of the Policy and current government guidance.

1.0 Introduction

The Service is committed to dealing with statutory nuisances, antisocial behaviour and conditions which may present a threat to public health. Various issues and problems can be tackled under these wide ranging powers including noise, dust fumes, smells, accumulations and deposits of waste/noxious refuse, animals kept so as to cause nuisance, and premises in an unsanitary state.

2.0 Statutory Nuisance.

2.1 Under Part II of the Environmental Protection Act 1990 certain matters are declared to be 'statutory nuisances'. They include the following:

- any premises in such a state as to be prejudicial to health or a nuisance
- smoke emitted from premises so as to be prejudicial to health or a nuisance
- fumes or gases emitted from premises so as to be prejudicial to health or a nuisance
- any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance
- any accumulation or deposit which is prejudicial to health or a nuisance
- any animal kept in such a place or manner as to be prejudicial to health or a nuisance
- any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance
- artificial light emitted from premises so as to be prejudicial to health or a nuisance.
- noise emitted from premises so as to be prejudicial to health or a nuisance
- noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street [or in Scotland, road].
- any other matter declared by any enactment to be a statutory nuisance

2.2 Enforcement of Statutory Nuisance

The purpose of statutory nuisance enforcement is to deal with significant and unacceptable interference with people's use of their homes and conditions which may present a threat to public health. The Service has a range of tools at its disposal in order to secure compliance with the law and to ensure a proportionate response to criminal offences. The powers available are detailed below.

2.3 Environmental Protection Act 1990 Abatement Notices

The Environmental Protection Act requires that where a statutory nuisance has been established the council shall serve an abatement notice on the person responsible for the nuisance or the owner or occupier of the premises. The notice may simply require the nuisance to stop and not recur or specify steps to be taken to abate the nuisance. Someone who receives an abatement notice has a period of 21 days to appeal to a Magistrates Court against it.

- 2.4** If as a result of the investigation process a statutory nuisance has been determined and the person responsible for the nuisance has not demonstrated satisfactory action to abate it or prevent a recurrence of the nuisance, an Officer will serve an abatement notice on the person responsible. The notice would require the person to take action to abate the nuisance and to prevent a recurrence. Failure to comply with an abatement notice is a criminal offence and the offender could be subject to a fine of up to £5,000 for a domestic premises and £20,000 for a commercial or industrial activity.
- 2.5** It should be noted that in the case of noise nuisance a specific amendment has been passed under the Clean Neighbourhoods and Environment Act 2005 allowing a local authority that is satisfied that a statutory noise nuisance exists, to defer service of a notice for 7 days in order to work with the person responsible to try to informally resolve this issue.
- 2.6** A breach of an Abatement Notice may also result in an application for a warrant to seize items from the premises in order to abate the nuisance. Seizures of noise making equipment will then be followed up with a prosecution for the breach of the notice and the Magistrate's Court may make an order to confiscate and/or destroy the equipment.

3.0 Notices Served under the Control of Pollution Act 1974

Notices served under this legislation apply to noisy activities associated with demolition and construction. This seeks to reasonably control the activity though the use of 'best practical means' rather than attempt to prevent disturbance as the works are usually necessary. Prior consent can be sought to carry out the works that may cause disturbance, or The Service can use reactive powers to impose conditions on the activity. Such as restricting working hours, siting of equipment and appropriate silencing.

Failure to comply with a condition attached to a prior consent or a notice is a criminal offence and on conviction an offender may be subject to maximum fine of £10,000.

4.0 Antisocial Behaviour

The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by councils to address anti-social behaviour in their local areas.

- 4.1** If anti-social behaviour (ASB) has a detrimental effect on the quality of life of those in the locality, is of a persistent and continuing nature and is unreasonable a written warning will be issued informing the perpetrator of the problem behaviour, requesting them to stop and advising what the consequences will be if it does not stop. In complex cases there may be a need to consult with the Police in order to ensure the best outcome is achieved.
- 4.2** If the behaviour continues a Community Protection Notice can be issued, which will specify what is to be stopped or undertaken in order to avoid further anti-social behaviour. Failure to do so may result in works in default being undertaken by the

council and the costs reclaimed from the person responsible. A breach of a CPN is a criminal offence, a fixed penalty of £100 may be issued and/or a prosecution. A fine of £2,500 for an individual or up to £20,000 for businesses may be issued by the courts.

4.3 Public Space Protection Orders (PSPOs) are another tool available under the 2014 Act and gives councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met.

4.4 PSPOs can be used to deal with a particular nuisance or problem, in a specific area, that is detrimental to the local community's quality of life. It does so by imposing conditions on the use of that area which apply to everyone. PSPOs impose conditions or restrictions on people using that area to deal with particular issues such as the consumption of alcohol in a defined area. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. The District Council can make a PSPO if it believes the activities are detrimental to the local community's life.

5.0 Filthy and Verminous Premises

The Public Health Act 1936 requires a local authority to take action when a property is deemed to be filthy, verminous or unwholesome. A notice served under this act requires the person responsible, who is usually the owner or tenant to take steps to clear and cleanse the property and where a vermin infestation is present, to treat to the satisfaction of the local authority. Unlike other pieces of legislation there is no appeal process for this notice. Should a notice not be complied with the council may undertake works in default and recover the costs from the person responsible.

6.0 Responsible Dog Ownership

6.1 The Environmental Protection Act 1990 requires MVDC and TDC to collect and detain any dog found in a public place. Any persons who claim ownership of a dog found to be straying will be required to pay any costs which have been incurred as a result of the collection and detention of that dog.

6.2 The Service will impose a fine for stray dogs which will be payable by the owner upon return of the animal as permitted under the Environmental Protection (Stray Dogs) Regulations 1992

Appendix E – Licensing

Additional Guidance in relation to Licensing Enforcement

The purpose of this appendix is to give further guidance on the provisions of licensing legislation. The principles of enforcement are clearly set out in the main enforcement policy. All the actions detailed in this appendix shall be carried out in accordance with the provisions of the Policy and guidance issued from the Home Office, Police, Fire Authorities, Department of Culture, Media and Sport and Department of Transport (DFT).

1.0 Introduction

This policy is intended to protect the safety, welfare and wellbeing of all persons and animals subject to licensing legislation within the district. The Service has the responsibility to advise, determine and enforce a number of licensing regimes. The areas covered by this policy include:

- 1.1 Alcohol, Regulated Entertainment and Late Night Refreshment – the sale and supply of all alcohol, whether for consumption on or off the premises. Regulated entertainment involving Music, Singing and Dancing, Indoor Sports, Films, Plays; and Late Night Refreshment after 23:00 hours.
- 1.2 Animal Health and Welfare – Animal Boarding Establishments, Dangerous Wild Animals, Dog Breeding Establishments, Pet Shops, Riding Establishments, Game Dealers.
- 1.3 Taxi Licensing – Hackney Carriage and Private Hire drivers, vehicle proprietors and operators
- 1.4 Charitable Collections – House to House and Street Collections
- 1.5 Gaming – Amusement Arcades, Small Lotteries, Amusement with Prize Machines, Track Betting
- 1.6 Miscellaneous – Scrap Metal Dealers, Street Trading
- 1.7 Some of these areas will have separate policy documents providing more detailed information on enforcement roles, information sharing and decision making. For example;-
 - Licensing Act 2003 Statement of Policy
 - Gambling Act 2005 Statement of Principles.
 - Hackney Carriage & Private Hire Licensing Policy regarding the relevance of convictions and other related information

These licensing policies complement this document and may assist with decisions on possible enforcement action.

2.0 Enforcement of Licensed Premises

The Service expects full voluntary compliance with relevant legislative requirements or licence conditions, it will however, use its enforcement powers where necessary. If enforcement is necessary, The Service has as a range of tools at its disposal in order to secure compliance with the law and to ensure a proportionate response to licensing contraventions. The powers available are detailed below.

3.0 Suspension Notices

Suspension Notices are served to remove the licence until the reasons for suspension have been rectified. These will be considered where there is a risk to safety of the public or the welfare of animals. These are also applied automatically for non-payment of the licence fee for alcohol and gambling licences.

4.0 Revocation of Licences or Approvals

In order to warrant revocation of a licence, the individual or organisation must meet one or more of the following criteria:

- Fraudulent activity undertaken
- Deliberately or persistently breached legal obligations, which were likely to cause material loss or harm to others.
- Deliberately or persistently ignored written warnings or formal notices
- Obstructed an officer during their duties
- Endangered, to a serious degree, the health, safety or well-being of people or animals.

5.0 Review of Licence

5.1 A premises licence issued under the Licensing Act 2003, can be reviewed at any time at the request of the public or a statutory body as specified under the legislation. As a result of the review, the licence is placed before the Licensing Sub-Committee which is able to vary / revoke / and, or suspend the licence; remove the designated premises supervisor; or remove licensable activities from a licence. In making decisions with respect to these licences the Statement of Licensing Policy will be referred to by the Licensing Sub-Committee in addition to the enforcement policy.

5.2 A Licensing Act 2003 premises licence can be subject to an expedited review, when a senior police officer has issued a certificate stating that in his/her opinion the premises are associated with serious crime or serious disorder (or both). On receipt of the application and certificate, the licensing authority must within 48 hours consider whether it is necessary to take interim steps pending determination of the review of the premises licence. The authority must in any event undertake a review within 28 days of receipt of the application. The authority may:

- modify the conditions of the premises licence;
- exclude of the sale of alcohol by retail (or other licensable activities) from the scope of the licence;
- remove the designated premises supervisor from the licence; and
- suspend the licence.

Appendix F – Private Sector Housing

Additional Guidance in Relation to Private Sector Housing

Please refer to the Private Sector Housing Enforcement Policy that can be viewed here:

http://www.molevalley.gov.uk/media/pdf/5/k/Private_Sector_Housing_Enforcement_Policy_2019.pdf

Appendix G – Legislative Powers

1. Animal Boarding Establishments Act 1963
2. Animal Welfare Act 2006
3. Anti-social Behaviour, Crime and Policing Act 2014
4. Breeding and Sale of Dogs (Welfare) Act 1999
5. Breeding of Dogs Act 1973, 1991
6. Building Act 1984
7. Caravan Sites 1963
8. Caravan Sites and Control of Development Act 1960
9. Charities Act 2006
10. Clean Air Act 1993
11. Clean Neighbourhoods and Environment Act 2005
12. Control of Dogs Order 1992
13. Control of Pollution Act 1974
14. Criminal Justice & Public Order Act 1994
15. Dangerous Wild Animals Act 1976
16. Dogs (Fouling of Land) Act 1996
17. Environment Act 1995
18. Environment and Safety Information Act 1988
19. Environmental Protection Act 1990
20. European Communities Act 1972
21. Enterprise and Regulatory Reform Act 2013
22. Food Safety Act 1990 (Only those powers as specified on this warrant)
23. Gambling Act 2005
24. Game Act 1831, 1860
25. Guard Dogs Act 1975
26. Health Act 2006
27. Health and Safety at Work Etc Act 1974 (Only those powers as specified on warrant)
28. House to House Collections Act 1939
29. Housing Acts 1985, 1988, 1996, 2004; and act as an 'inspector' as defined by Regulation 2 of The Housing Health and Safety Rating System (England) Regulations 2005 and to exercise the powers contained within those regulations.
30. Housing and Planning Act 1986, 2016
31. Housing Grants, Construction and Regeneration Act 1996
32. Hypnotism Act 1952
33. Landlord and Tenant Act 1985, 1987
34. Licensing Act 2003
35. Live Music Act 2012
36. Local Government Act 1972
37. Local Government Act 2000
38. Local Government (Miscellaneous Provisions) Acts 1976 & 1982
39. Local Government & Housing Act 1989
40. Lotteries and Amusements Act 1976
41. Mobile Homes Act 2013
42. National Assistance Act 1948
43. Noise Act 1996
44. Noise and Statutory Nuisance Act 1993
45. Office, Shops and Railway Premises Act 1963
46. Pet Animals Act 1951 (as amended by the 1983 Act)
47. Performing Animals (Regulation) Act 1925
48. Police, Factories, &c. (Miscellaneous Provisions) Act 1916
49. Police Reform and Social Responsibility Act 2011
50. Pollution Prevention and Control Act 1999
51. Prevention of Damage by Pests Act 1949
52. Public Health Acts 1875, 1936, 1961, 1984
53. Public Health (Control of Disease) Act 1984 as amended by Health and Social Care Act 2008
54. Refuse Disposal (Amenity) Act 1978
55. Regulatory Enforcement and Sanctions Act 2008
56. Riding Establishments Act 1964 (& 1970)

The listed legislation will be updated periodically to avoid the list getting out of date