

Move from Executive Director Place Health and Adults to Executive Director Public Health and Communities:-

To exercise the functions of the Council in respect of the provision of personal social care for adults and wider adults' services arrangements under the following legislation:-

- Asylum and Immigration (Treatment Of Claimants Act) 2004
 - Counter Terrorism and Security Act 2015
 - Crime and Disorder Act 1998
 - Criminal Justice & Court Services Act 2000
 - Domestic Violence, Crime and Victims Act 2004
 - Drugs Act 2005
 - **Health and Social Care Act 2001 (except those parts delegated to the Executive Director Place Health and Adults)**
 - Homelessness Reduction Act 2018
 - Housing Act 1996
 - Immigration Act 1971.
 - Immigration Act 1988,
 - Immigration and Asylum Act 1999
 - Nationality, Immigration and Asylum Act 2002
 - **Noise Act 1996**
 - Sexual Offences Act 2003
- (d) To carry out the investigative and assessment duties of the Council under Part III of the Housing Act 1985 (Housing and Homelessness).
- (f) To exercise the functions of the Council in responding, in consultation with the Barnsley **Safer Communities** Partnership, to requests for reviews of action to deal with complaints of anti-social behaviour ("The Community Trigger") under Part 6 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Service Director Communities

- (a) To exercise the powers of the Council to undertake necessary enforcement action within the remit of the **Safer Communities Service and the Barnsley Safer Communities Partnership** ~~Neighbourhood Safety Unit, the Safer Neighbourhood Teams, the Barnsley Safer Communities Partnership.~~
- (b) In consultation with the Executive Director and Executive Director, Core Services to institute legal proceedings in respect of those matters for which the Service Director Communities has operational responsibility.
- (c) To fulfil the statutory role of anti-social behaviour coordinator for the council and to oversee, authorise and pursue appropriate actions under the terms of the statutory framework designed to regulate such behaviour.

(d) To undertake property inspections, investigations, surveillance, interviews, determination of prohibitions, assessments, seizures, detentions, recording, service of statutory notices, evictions, authorisations, and legal proceedings under the legislation applicable thereto set out below, and to exercise all other relevant powers, including powers of entry provided under such legislation:

- Crime and Disorder Act 1998
- Anti-Social Behaviour Act 2003 (except those parts delegated to the Executive Director Children's Services and the Service Director Regeneration and Culture, where not superseded by the Anti-Social Behaviour, Crime and Policing Act 2014)
- Anti-Social Behaviour, Crime and Policing Act 2014
- Building Act 1984, Sections 59, 76, 77, 78 and 79
- Police Reform Act 2002
- Local Government Act 1972
- Misuse Of Drugs Act 1971
- Vagrancy Act 1824
- Public Order Act 1986
- Criminal Justice and Police Act 2001
- Protection From Harassment Act 1997
- Clean Neighbourhoods and Environment Act 2005
- Environmental Protection Act 1990
- Control of Pollution (Amendment) Act 1989
- Housing Act 1985
- Housing Act 1996
- Housing Act 2004
- Housing & Planning Act 2016
- Regulation Of Investigatory Powers Act 2000
- Mental Capacity Act 2005
- Mental Health Act 1983 and 2007
- Children Act 2000
- Domestic Violence Crime and Victims Act 2004
- Drugs Act 2005
- Offender Management Act 2007
- Fireworks Act 2003
- Police and Criminal Evidence Act 1984
- Equality Act 2010 (including s149 public sector equality duty)
- Police and Justice Act 2006
- Civil Procedures Rules 1998 (as amended)
- Noise Act 1996
- Road Traffic Act 1991
- Traffic Management Act 2004 (in relation to car parking enforcement)
- Chronically Sick and Disabled Person's Act 1970
- Road Traffic Regulations Act 1984 as amended by the Town & Country Planning Act 1990 Parts VII & VIII and Section 91 of the Traffic Management Act 2004

- Town & Country Planning Act 1990, Section 215 (subject to appropriate consultation with the Head of Planning & Building Control
- Road Traffic Offenders Act 1988
- Public Health Acts 1936 and 1961
- Prevention of Damage by Pests Act 1949
- Protection from Eviction Act 1977
- South Yorkshire Act 1980, Section 29
- Local Government (Miscellaneous Provisions) Act 1976, Section 16
- Local Government (Miscellaneous Provisions) Act 1982, Section 29
- Tenant Fees Act 2019
- Law of Property Act 1925
- Compulsory Purchase Act 1965
- Acquisition of Land Act 1981
- Energy Performance of Buildings (England & Wales) Act 2012
- Energy Efficiency (Private Rented Property) (England & Wales) Regulations 2015
- Homes (fitness for human habitation) Act 2018
- Police, Crime, Sentencing & Courts Act 2022
- Criminal Justice & Public Order Act 1994
- Landlord & Tenant Act 1985
- Domestic Violence Act 2018
- Environment Act 2021
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- Gas safety (Installation and Use) (Amendment) Regulations 2018
- The Deregulation Act 2018
- **Domestic Abuse Act 2021 (except those parts delegated to the Executive Director Place Health and Adults)**
- **Armed Forces Act 2021 (except those parts delegated to the Executive Director Place Health and Adults)**

and any other legislative powers bestowed upon the council to assist with the management and assessment of, enforcement against and regulation of crime, disorder and anti-social behaviour.

~~(e) To exercise the Council's statutory duty under the Child Poverty Act 2010~~

(g) **Ensure compliance with the statutory duty under the Public Libraries and Museums Act 1964 'to provide a comprehensive and efficient library service for all persons' for all those who live, work or study in the area (section 7)**

(h) **To maintain managerial oversight for those functions listed under Head of Stronger Communities, Head of Safer Communities, Head of Healthier Communities and Head of Libraries.**

2. Head of Stronger Communities (amended from Community Safety and

Enforcement)

- (a) To approve applications for funding from the Ward Alliance Fund, after consultation with the relevant local Members or Ward Alliance, as appropriate, ~~subject to the submission of a quarterly monitoring report on the use of the Budget and Fund.~~
- (b) To provide support for the Borough-Wide **Area Governance Arrangements Community / Area Planning Process**
- (c) **To oversee the recruitment process of new Ward Alliance members with elected members to agree new Ward Alliance Members undertaking the agreed recruitment process to recruit the Ward Alliance Member.**

~~To approve the appointment of Ward Alliance members, following consultation with the Elected Members for the Ward concerned~~

- (d) To approve the award of grants from thematic grant schemes **across all six areas** determined **and agreed** by **the** Area Councils ~~from time to time.~~
- (e) ~~To approve the content of the extensions to the Contract with the Home Office to provide accommodation in the community for asylum seekers under the auspices of the Executive Committee of the Regional Asylum Consortium for Yorkshire and Humber~~

3. Head of Safer Communities (amended from Community Safety and Enforcement)

- (d) To exercise the functions of the Council in investigating the need for Criminal Behaviour Orders under Part 2 of the Anti-Social Behaviour, Crime and Policing Act 2014, including on behalf of South Yorkshire Police, and making applications for such Orders through the Crown Prosecution Service, in consultation with the Executive Director, Core Services.
- (e) To exercise the functions of the Council in issuing Community Protection Notices, following a warning to alleged perpetrators, under Part 4, Chapter 1 of the Anti- Social Behaviour, Crime and Policing Act 2014.
- (f) **To exercise functions of the council in relation to part 1 of the Antisocial Behaviour Crime and Policing Act 2014, civil injunctions.**
- (g) **To exercise functions of the Council in regulating the Health and Safety Standards of privately rented housing under section 5 of the Housing Act 2004**
- (h) **To exercise functions of the Council in relation to the prevention and relief of Homelessness as scheduled in the Homelessness Reduction**

Act 2018.

- (i) To discharge housing and tenancy management functions on behalf of the council in relation to section 83 of the Housing Act 1985 section 8 and parts 1 to 4 of the 1995 Housing Act and any escalated possession and associated action thereafter.
- (j) To exercise functions on behalf of the “Litter Authority” in relation to scheduled offences contained within the environmental protection act and supplementary legislation including powers commensurate with sections 87 and 88 and sections 33, 34 and 46.
- (k) To exercise the application and discharge of powers under sections 77 and 78 of the Criminal Justice and Public Order Act 1994 in relation to the removal of unauthorized encampments from public land

4. Head of Healthier Communities (amended from Service Director Communities)

- (d) To commission, on the advice of the Executive Director of Public Health & Communities, non-mandated public health responsibilities in respect of increasing levels of physical activity in the local population.
- (e) To commission services and engage people with protected characteristics to be able to access support at the right time and in the right place and in doing so reduce their risk of harm and enable people to live fulfilling lives.

5. Service Director Communities in consultation with Service Director Children’s Social Care and Safeguarding

- (d) To ensure the provision of reasonable advice and assistance from the housing authority concerning homeless persons with dependent children, who are ineligible for homelessness assistance or are intentionally homeless, if the homeless person consents, under powers in the Homelessness Act 2002.

Move from Executive Director Place Health and Adults to Service Director Environment and Transport

- (f) To let and maintain allotments and exercise the Council powers under the Allotment Acts 1908 to 1950