



dated 15 May 2013

London Borough of Barnet

Legislation relating to the DRS project

Trowers & Hamblins LLP
3 Bunhill Row
London
EC1Y 8YZ
t +44 (0)20 7423 8000
f +44 (0)20 7423 8001
www.trowers.com

1 **Background**

- 1.1 The following domestic primary legislation has been identified as relevant to the delivery of the development and regulatory services (DRS) and is included in the DRS output specifications and the DRS Partnering Agreement. This legislation is in force (as amended from time to time) as at 15 May 2013. Part 2 of this document contains a list of EU directives and statutory instruments as extant (as amended from time to time) on 15 May 2013 applicable either to the relevant functions included in the DRS output specifications or the DRS Partnering Agreement and shall be deemed to include any amendments. Both lists will need further review prior to contract signature to ensure the legislation listed is still in force. This list supersedes and replaces any earlier lists and given the nature of the services is not exhaustive and is provided purely for the purposes of the report to Cabinet and as such Trowers & Hamlins cannot accept any responsibility to any party other than the London Borough of Barnet for its accuracy or completeness.

2 **Transport and Regeneration Output Specification**

- 2.1 the Equality Act 2010
- 2.2 the Freedom of Information Act 2000
- 2.3 the Highways Act 1980
- 2.4 the Town and Country Planning Act 1990

3 **Regeneration Output Specification**

- 3.1 the Equality Act 2010
- 3.2 the Highways Act 1980
- 3.3 the Housing Act 1996
- 3.4 the Land Compensation Act 1973
- 3.5 the Landlord and Tenant Act 1954
- 3.6 the Local Government Act 1972
- 3.7 the Town and Country Planning Act 1990

4 **Strategic Planning Output Specification**

- 4.1 the Equality Act 2010
- 4.2 the Localism Act 2011
- 4.3 the Planning and Compulsory Purchase Act 2004
- 4.4 the Planning (Listed Buildings and Conservation Areas) Act 1990
- 4.5 the Planning Act 2008
- 4.6 the Special Educational Needs and Disability Act 2001

4.7 the Town and Country Planning Act 1990

5 Hendon Cemetery and Crematorium Output Specification

5.1 the Births and Deaths Registration Act 1953

5.2 the Burial Act 1857

5.3 the Data Protection Act 1998

5.4 the Disability Discrimination Act 1995

5.5 the Environmental Protection Act 1990

5.6 the Equality Act 2010

5.7 the Greater London Council (General Powers) Act 1976

5.8 the Health and Safety at Work etc. Act 1974

5.9 the London Local Authorities Act 2007

5.10 the Occupiers' Liability Act 1957

5.11 the Public Health (Control of Disease) Act 1984

6 Traffic and Development and Highways Strategy Output Specification

6.1 the Countryside and Rights of Way Act 2000

6.2 the Data Protection Act 1998

6.3 the Disability Discrimination Act 2005

6.4 the Education and Inspections Act 2006

6.5 the Equality Act 2010

6.6 the Freedom of Information Act 2000

6.7 the Greater London Authority Act 1999

6.8 the Health and Safety at Work etc. Act 1974

6.9 the Highways Act 1980

6.10 the London Local Authorities Act 1995

6.11 the New Roads and Street Works Act 1991

6.12 the Rights of Way Act 1990

- 6.13 the Road Traffic Act 1988
- 6.14 the Road Traffic Act 1991
- 6.15 the Road Traffic Regulation Act 1984
- 6.16 the Town and Country Planning Act 1990
- 6.17 the Traffic Management Act 2004
- 6.18 the Transport Act 2000
- 6.19 the Wildlife and Countryside Act 1981
- 7 **Land Charges Output Specification**
- 7.1 the Competition Act 1998
- 7.2 the Equality Act 2010
- 7.3 the Local Land Charges Act 1975
- 8 **Building Control Output Specification**
- 8.1 the Building Act 1984
- 8.2 the Equality Act 2010
- 8.3 the Local Government Act 1985
- 8.4 the London Building Acts (Amendment) Act 1939
- 8.5 the London Government Act 1963
- 8.6 the Safety of Sports Grounds Act 1975
- 9 **Trading Standards and Licensing Output Specification**
- 9.1 the Agriculture Act 1970
- 9.2 the Animal Health Act 1981
- 9.3 the Children and Young Persons (Protection from Tobacco) Act 1991
- 9.4 the Clean Air Act 1993
- 9.5 the Consumer Credit Act 1974
- 9.6 the Consumer Protections Act 1987
- 9.7 the Control of Pollution Act 1974
- 9.8 the Copyright, Designs and Patents Act 1988

- 9.9 the Copyright, etc. and Trade Marks (Offences and Enforcement) Act 2002
- 9.10 the Criminal Justice and Police Act 2001
- 9.11 the Development of Tourism Act 1969
- 9.12 the Education Reform Act 1988
- 9.13 the Energy Act 1976
- 9.14 the Equality Act 2010
- 9.15 the Estate Agents Act 1979
- 9.16 the European Communities Act 1972
- 9.17 the Gambling Act 2005
- 9.18 the Hallmarking Act 1973
- 9.19 the Health and Safety at Work etc Act 1974
- 9.20 the Hypnotism Act 1952
- 9.21 the Licensing Act 2003
- 9.22 the Local Government (Miscellaneous Provisions) Act 1982
- 9.23 the London Local Authorities Act 1990
- 9.24 the Medicines Act 1968
- 9.25 the Poisons Act 1972
- 9.26 the Policing and Crime Act 2009
- 9.27 the Prices Act 1974
- 9.28 the Property Misdescriptions Act 1991
- 9.29 the Protection of Children (Tobacco) Act 1986
- 9.30 the Safety of Sports Grounds Act 1975
- 9.31 the Scrap Metal Dealers Act 1964¹
- 9.32 the Trade Marks Act 1994
- 9.33 the Video Recordings Act 1984 and 1993
- 9.34 the Weights and Measures Act 1985

¹ Whole act to be repealed by Scrap Metal Dealers Act 2013 c. 10 s. 19(1)(a) – Not yet in force - Date to be appointed.

- 10 **Planning and Development Management Output Specification**
- 10.1 the Anti-Social Behaviour Act 2003
- 10.2 the Commons Act 2006
- 10.3 the Commons Registration Act 1965²
- 10.4 the Communications Act 2003
- 10.5 the Disability Discrimination Act 1995
- 10.6 the Equality Act 2010
- 10.7 the Freedom of Information Act 2000
- 10.8 the Local Government Act 2003
- 10.9 the Localism Act 2011
- 10.10 the Planning (Listed Buildings and Conservation Areas) Act 1990
- 10.11 the Planning and Compulsory Purchase Act 2004
- 10.12 the Police and Criminal Evidence Act 1984
- 10.13 the Proceeds of Crime Act 2002
- 10.14 the Town and Country Planning Act 1990
- 11 **Highways Network Management Output Specification**
- 11.1 the Data Protection Act 1998
- 11.2 the Disability Discrimination Act 2005
- 11.3 the Education and Inspections Act 2006
- 11.4 the Equality Act 2010
- 11.5 the Flood and Water Management Act 2010
- 11.6 the Freedom of Information Act 2000
- 11.7 the Greater London Authority Act 1999
- 11.8 the Health and Safety at Work etc. Act 1974
- 11.9 the Highways Act 1980
- 11.10 the Human Rights Act 1998

² Whole act to be repealed by Commons Act 2006 c. 26 Sch. 6(1) para. 1 – Not yet in force - Date to be appointed.

- 11.11 the Land Drainage Act 1991
- 11.12 the London Local Authorities Acts (various)
 - 11.12.1 the London Local Authorities Act 2012
 - 11.12.2 the London Local Authorities Act 2007
 - 11.12.3 the London Local Authorities Act 2004
 - 11.12.4 the London Local Authorities Act 2000
 - 11.12.5 the London Local Authorities Act 1996
 - 11.12.6 the London Local Authorities Act 1995
 - 11.12.7 the London Local Authorities Act 1994
 - 11.12.8 the London Local Authorities Act 1991
 - 11.12.9 the London Local Authorities Act 1990
- 11.13 the New Road and Street Works Act 1991
- 11.14 the Race Relations (Amendment) Act 2000
- 11.15 the Rights of Way Act 1990
- 11.16 the Road Traffic Act 1988
- 11.17 the Road Traffic Act 1991
- 11.18 the Road Traffic Regulation Act 1984
- 11.19 the Town and Country Planning Act 1990
- 11.20 the Traffic Management Act 2004
- 11.21 the Transport Act 2000
- 11.22 the Weed Act 1959
- 12 **Environmental Health Output Specification**
 - 12.1 the Animal Boarding Establishments Act 1963
 - 12.2 the Animal Health Act 1981
 - 12.3 the Animal Health Act 2002
 - 12.4 the Animal Welfare Act 2006
 - 12.5 the Anti-Social Behaviour Act 2003

- 12.6 the Breeding and Sale of Dogs (Welfare) Act 1999
- 12.7 the Breeding of Dogs Acts 1973 and 1991
- 12.8 the Building Act 1984
- 12.9 the Burial Act 1857
- 12.10 the Caravan Sites and Control of Development Act 1960
- 12.11 the Civil Contingencies Act 2004
- 12.12 the Clean Air Act 1993
- 12.13 the Clean Neighbourhoods and Environment Act 2005
- 12.14 the Control of Pollution Act 1974
- 12.15 the Crime and Disorder Act 1998
- 12.16 the Criminal Justice and Public Order Act 1994
- 12.17 the Dangerous Wild Animals Act 1976
- 12.18 the Data Protection Act 1998
- 12.19 the Dogs Act 1871
- 12.20 the Environment Act 1995
- 12.21 Natural Environment and Rural Communities Act 2006
- 12.22 the Environmental Protection Act 1990
- 12.23 the Equality Act 2010
- 12.24 the European Communities Act 1972
- 12.25 the Food Safety Act 1990
- 12.26 the Freedom of Information Act 2000
- 12.27 the Guard Dogs Act 1975
- 12.28 the Health & Safety at Work etc. Act 1974
- 12.29 the Health Act 2006
- 12.30 the Hendon Urban District Council Act 1929
- 12.31 the Highways Act 1980
- 12.32 the Housing Act 2004

- 12.33 the Housing Acts 1985 (as amended), 1988, 1996 and 2004
- 12.34 the Housing Grants, Construction and Regeneration Act 1996
- 12.35 the Licensing Act 2003
- 12.36 the Local Government (Miscellaneous Provisions) Act 1976 and 1982
- 12.37 the London Government Act 1963
- 12.38 the Local Government Act 1972
- 12.39 the Local Government Act 2000
- 12.40 the Local Government and Housing Act 1989
- 12.41 the London Local Authorities Act 1990
- 12.42 the London Local Authorities Act 1991
- 12.43 the National Assistance Act 1948
- 12.44 the Performing Animals (Regulation) Acts 1925
- 12.45 the Pet Animals Act 1951
- 12.46 the Pollution Prevention and Control Act 1999
- 12.47 the Prevention of Damage by Pests Act 1949
- 12.48 the Public Health (Control of Disease) Act 1984
- 12.49 the Public Health Acts 1936 and 1961
- 12.50 the Refuse Disposal (Amenity) Act 1978
- 12.51 the Regulatory Enforcement and Sanctions Act 2008
- 12.52 the Rehabilitation of Offenders Act 1974
- 12.53 the Riding Establishments Acts 1964 and 1970
- 12.54 the Sunbeds (Regulation) Act 2010
- 12.55 the Town and Country Planning Act 1990
- 12.56 the Water Industry Act 1991
- 12.57 the Zoo Licensing Act 1981
- 13 **General**
- 13.1 the Local Government Act 1972

- 13.2 the Local Government Act 1999
- 13.3 the Local Government Act 2000
- 13.4 the Local Government Act 2003
- 13.5 the Local Government and Public Involvement in Health Act 2007
- 13.6 the Localism Act 2011
- 14 **DRS Partnering Agreement**
- 14.1 the Audit Commission Act 1998
- 14.2 the Bribery Act 2012
- 14.3 the Civil Contingencies Act 2004
- 14.4 the Companies Act 2006
- 14.5 the Contracts (Rights of Third Parties) Act 1999
- 14.6 the Data Protection Act 1998
- 14.7 the Disability Discrimination Act 1995
- 14.8 the Education Reform Act 1988
- 14.9 the Employment Rights Act 1996
- 14.10 the Equality Act 2010
- 14.11 the European Communities Act 1972
- 14.12 the Finance Act 2004 (Part A)
- 14.13 the Financial Services and Markets Act 2000
- 14.14 the Freedom of Information Act 2000
- 14.15 the Interpretation Act 1978
- 14.16 the Local Government Act 1999
- 14.17 the Local Government Finance Act 1982
- 14.18 the Ministers of the Crown Act 1975
- 14.19 the Rehabilitation of Offenders Act 1974
- 14.20 the Safeguarding Vulnerable Groups Act 2006
- 14.21 the Superannuation Act 1972

Part 2 – EU Directives and Statutory Instruments**1 Transport and Regeneration Output Specification**

- 1.1 Planning Inspectorate's Procedural Guidance: Planning appeals and called-in planning applications (PINS 01/2009)
- 1.2 Traffic Signs Regulations and General Directions 2002
- 1.3 Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997

2 Regeneration Output Specification

- 2.1 Building Regulations 2010

3 Strategic Planning Output Specification

- 3.1 Community Infrastructure Levy Regulations 2010
- 3.2 Town and Country Planning (General Permitted Development) Order 1995
- 3.3 Ecclesiastical Exemption (Listed Buildings and Conservation Areas)(England) Order 2010
- 3.4 Community Infrastructure Levy Regulations 2010
- 3.5 European Directive 2001/42/EC (the 'Strategic Environmental Assessment Directive')
- 3.6 Articles 6(3) and 6(4) of European Directive 92/43/EEC on the protection of natural habitats (the 'Habitats Directive')

4 Hendon Cemetery and Crematorium Output Specification

- 4.1 Cremation (England and Wales) Regulations 2008
- 4.2 Local Authorities' Cemeteries Order 1977
- 4.3 Management of Health and Safety at Work Regulations 1999
- 4.4 Registration of Births and Deaths Regulations 1987
- 4.5 Environmental Permitting (England and Wales) Regulations 2010

5 Traffic and Development and Highways Strategy Output Specification

- 5.1 Construction (Design and Management) Regulations 2007
- 5.2 Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997
- 5.3 Traffic Signs Regulations and General Directions 2002
- 5.4 Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996
- 5.5 Road Traffic Act 1991 (Special Parking Areas) (England) Order 2003

6 Land Charges Output Specification

- 6.1 Local Land Charges Rules 1977
- 6.2 Local Authorities (England) (Charges for Property Searches) Regulations 2008
- 6.3 Local Land Charge (Amendment) Rules 2003
- 6.4 Environmental Information Regulations 2004
- 6.5 Local Authorities (England) (Charges for Property Searches) Regulations 2008

7 Building Control Output Specification

- 7.1 Building Regulations 2010
- 7.2 Building (Local Authority Charges) Regulations 2010

8 Trading Standards Output Specification

- 8.1 Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005
- 8.2 Licensing Act 2003 (Premises licences and club premises certificates) (Amendment) (Electronic Applications etc.) Regulations 2009
- 8.3 Motor Salvage Operators Regulations 2002
- 8.4 Manufacture and Storage of Explosives Regulations 2005
- 8.5 Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010

9 Planning and Development Management Output Specification

- 9.1 Town and Country Planning (General Permitted Development) Order 1995
- 9.2 Town and Country Planning (Development Management Procedure) (England) Order 2010
- 9.3 Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- 9.4 Electronic Communications Code (Conditions and Restrictions) Regulations 2003
- 9.5 Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009
- 9.6 Town and Country Planning (Hearings Procedure) (England) Rules 2000
- 9.7 Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000
- 9.8 Town and Country Planning (Hearings and Inquiries Procedures) (England) (Amendment) Rules 2009

- 9.9 Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009
- 9.10 Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002
- 9.11 Town and Country Planning (Enforcement) (Hearing Procedure) (England) Rules 2002
- 9.12 Town and Country Planning (Enforcement) (Inquiries Procedure) (England) Rules 2002
- 9.13 Town and Country Planning (Tree Preservation) (England) Regulations 2012
- 9.14 High Hedges (Appeals) (England) Regulations 2005
- 9.15 Hedgerow Regulations 1997
- 9.16 Town and Country Planning (Environmental Impact Assessment) Regulations 2011
- 10 **Highways Network Management Output Specification**
- 10.1 Road Traffic (Special Parking Areas) (England) Order 2003
- 10.2 Traffic Signs Regulations and General Directions 2002
- 10.3 Construction (Design and Management) Regulations 2007
- 10.4 Flood Risk Regulations 2009
- 10.5 Road Vehicles (Authorisation of Special Types) (General) Order 2003
- 11 **Environmental Health Output Specification**
- 11.1 Health and Safety (Enforcing Authority) Regulations 1998
- 11.2 Environmental Information Regulations 2004
- 11.3 Food Law Code of Practice (England) April 2012
- 11.4 Regulation (EC) No.178/2002 – principles of food law;
- 11.5 Regulation (EC) No.852/2004 – general hygiene requirements;
- 11.6 Regulation (EC) No.853/2004 – laying down specific hygiene rules for food of animal origin;
- 11.7 Regulation (EC) No.2073/2005 – microbiological criteria for foodstuffs; and
- 11.8 Regulation (EC) No.882/2004 – on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.
- 11.9 Housing Renewal Grants (Service and Charges) Order 1996
- 11.10 Disabled Facilities Grant (Maximum Amounts and Additional Purposes) (England) Order 2008

- 11.11 Housing Renewal Grants Regulation 1996
- 11.12 Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- 11.13 Housing Health and Safety Rating System (England) Regulations 2005
- 11.14 Regulatory Reform (Fire Safety) Order 2005
- 11.15 Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006
- 11.16 Management of Houses in Multiple Occupation (England) 2006
- 11.17 Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- 11.18 Health Protection (Local Authority Powers) Regulations 2010
- 11.19 Health Protection (Part 2A Orders) Regulations 2010
- 11.20 Smoke-free (Premises and Enforcement) Regulations 2006
- 11.21 Smoke-free (Penalties and Discounted Amounts) Regulations 2007
- 11.22 Private Water Supplies Regulations 2009
- 11.23 Health Protection (Notification) Regulations 2010
- 12 **DRS Partnering Agreement**
- 12.1 EU Directive (2004/18/EC)
- 12.2 Public Contracts Regulations 2006
- 12.3 Environmental Information Regulations 2004
- 12.4 Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part I of the Freedom of Information Act 2000 (November 2004)
- 12.5 Transfer of Undertakings (Protection of Employment) Regulations 2006
- 12.6 Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007
- 12.7 Local Government Pension Scheme (Administration) Regulations 2008
- 12.8 Best Value Authorities Staff Transfers (Pensions) Direction 2007
- 12.9 EC Business Transfers Directive 2001/23
- 12.10 Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

Trowers & Hamlins
15 May 2013