

CONSENT TO URGENT DECISION	PART 1 (to be completed by the person seeking consent)	
Proposed Decision Maker <i>(please name person or body proposing to take decision, if an officer also state title)</i>	Date for Decision	
Councillor Izzi Seccombe – Leader of the Council	31 March 2020	
Title: Designation/Delegation to Enforce the Business Closure Measures Relating to Covid-19		
Summary of Matter As part of its response to Coronavirus the Government has passed The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. The Regulations state that a local authority may designate a person(s) under Regulation 8 (Enforcement of Requirement) in relation to a requirement in Regulation 4 (Requirement to close premises and businesses during the emergency) or Regulation 5 (Further restrictions and closures during the emergency period). The Government guidance that has been published states that 'Environmental Health and Trading Standards officers will monitor compliance with these regulations, with police support provided if appropriate'. This can be viewed at https://www.gov.uk/government/publications/further-businesses-and-premises-to-close/further-businesses-and-premises-to-close-guidance To lawfully enable the officers of the Trading Standards Service to enforce the Regulations it is first necessary for the County Council to designate such officers under Regulation 8 (Enforcement of Requirement) and Regulation 10 (Fixed Penalty Notices). The Regulations are made under the Public Health (Control of Disease) Act 1984. Adding the Act to the list of legislation delegated to the Strategic Director for Communities and his/her nominees in the Trading Standards section of Part 2 Section 10 of the County Council constitution will enable officers to be designated to enforce the Regulations and enable the Trading Standards Service to institute legal proceedings under regulation 9 in appropriate circumstances. Delegation of the Act will means that the Trading Standards Service will be able to discharge any additional functions imposed by the Government under the Act in the future without further reports and delegations. It is appropriate that this report should be dealt with under the Urgent Decision procedure in the County Council Constitution to allow enforcement of the Regulations as soon as possible.		

Proposed Decision

1. That the Leader of the Council designates named officers to enforce the relevant provisions of The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 on behalf of the County Council.
2. That the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 be added to paragraph 4 of the entries relating to Trading Standards in Part 2 Section 10 of the County Council Constitution.

Reasons for urgency

An urgent decision is required of the Leader to agree a list of designated officers who are empowered to close premises during the Coronavirus emergency.

Would the recommended decision be contrary to the Budget and Policy Framework? *[please identify relevant plan/budget provision]*

No

PART 2 (to be completed by the person giving consent)**Name****Councillor:**

Alan Cockburn

Office Held**Chair of the Communities Overview and Scrutiny Committee***Signed***Date consent is given**

31 March 2020