

## Officer Non Key Executive Decision

<b>Relevant Chief Officer (Decision Maker):</b>	Dawn Goodall, Head of Legal Services
<b>Relevant Cabinet Member (for consultation purposes):</b>	Councillor Neal Brookes, Cabinet Member for Housing and Welfare Reform
<b>Report Author (Officer name and title):</b>	Dawn Goodall, Head of Legal Services
<b>Implementation Date of Decision:</b>	1 July 2020

### APPOINTMENT OF FURTHER OFFICERS TO ENFORCE THE CLOSURE OF BUSINESSES REQUIRED BY THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS)(ENGLAND) REGULATIONS 2020

#### 1.0 Purpose of the report:

- 1.1 To consider the appointment of additional officers to enforce business closure as required by the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020

#### 2.0 Recommendation(s):

- 2.1 That the officers listed at 5.6 below namely Shaun McKinney, Myron Moss And Simon Evans be appointed as additional officers to those appointed on the 23 March 2020 to enforce the closure of those businesses listed in the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020 and to take such action as is necessary to enforce a closure or restriction imposed by those regulations.

#### 3.0 Reasons for recommendation(s):

- 3.1 This will allow for the efficient discharge of powers by officers with relevant knowledge/experience who perform tasks and functions under relevant legislation as part of their duties.

These officers who were not included in the original set of officers approved on 23 March 2020 are now available and able to undertake this duty.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

If no additional appointments are made, only those officers appointed on the 23 March 2020 will be able to enforce closure of premises in accordance with the Regulations. This could cause issues as the Coronavirus situation changes or develops.

#### **4.0 Council Priority:**

4.1 The relevant Council Priority is: "Communities: Creating stronger communities and increasing resilience"

#### **5.0 Background Information**

5.1 The Constitution currently authorises the Head of Legal Services to take such measures as she considers appropriate in connection with the issue, enforcement, making or registration of any notice, charge, prohibition or requirement, by or in relation to the authority.

5.2 Paragraphs 4 and 5 of The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 require the closure of businesses selling food or drink for consumption on the premises as well as the closure of other listed premises frequented by members of the public to protect against the risks to public health arising from Coronavirus.

5.3 Regulation 8 provides that a relevant person may take such action as is necessary to enforce any requirement imposed by regulation 4, 5 or 7. A relevant person is defined as:

- A police constable
- A police community support officer
- Subject to paragraph (13) , a person designated by a local authority for the purposes of this regulation

5.4 Paragraph (13) provides that '*A local authority may only designate a person for the purposes of this regulation in relation to a requirement in regulation 4 or 5*'

5.5 The delegations made to officers under the Health Protection (Coronavirus, Business Closure)(England) Regulations 2020 remain valid. These were made on 23 March 2020. Since that date, further officers with relevant experience and knowledge have been identified as being able to undertake these duties.

5.6 The Head of Legal Services hereby appoints the following officers to enforce the

Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 on behalf of Blackpool Borough Council:

Shaun McKinney  
Myron Moss  
Simon Evans

5.7 Does the information submitted include any exempt information? No

5.8 **List of Appendices:**

None.

6.0 **Legal considerations:**

6.1 None.

7.0 **Human Resources considerations:**

7.1 None.

8.0 **Equalities considerations:**

8.1 There are no equality issues

9.0 **Financial considerations:**

9.1 None

10.0 **Risk management considerations:**

10.1 Only those with relevant knowledge and expertise are to be authorised.

11.0 **Ethical considerations:**

11.1 The proposed actions would support the Council's core values, morals and beliefs, as well as the Council's priorities.

12.0 **Internal/ External Consultation undertaken:**

12.1 With the Director of Community and Environmental Services and Head of Public

Protection

**13.0 Decision of Head of Legal Services**

- 13.1 The officers listed at 5.6 above will be appointed by Blackpool Borough Council to enforce the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020.

**14.0 Reasons for the Decision of the Head of Legal Services**

- 14.1 This will allow for the efficient discharge of powers by officers with relevant knowledge/experience.